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Peru

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I. Methodology

1. Peru hereby submits its third national report to the Human Rights Council for the third cycle of the universal periodic review. The production of the report has involved the participation of the relevant public institutions. Coordination of the preparation of the report was the responsibility of the Directorate General for Human Rights of the Office of the Deputy Minister for Human Rights and Access to Justice of the Ministry of Justice and Human Rights.

2. The report has been shared with the National Human Rights Council, which is composed of State institutions and representatives of civil society, and with other non-governmental entities that, although not part of the Council, made their contributions, suggestions and comments.

II. Legislative and institutional framework

3. In Peru, international human rights treaties enjoy constitutional status and take precedence over domestic legislation. The State also makes significant efforts to comply with international standards, especially those of the United Nations and inter-American human rights systems, to deliver on the 2030 Agenda for Sustainable Development and respect the terms of the National Agreement.

4. In the period from 2012 to July 2017, a number of major steps forward were taken, chief among them the amendment of the definition of torture, the definition of the offence of forced labour, the adoption of rules on the use of force, the fight against femicide, the search for persons disappeared during the period of violence from 1980 to 2000, the strengthening of legislation concerning redress and efforts to combat gender-based violence.

5. Harmonized public policies that apply human rights standards have also been adopted. Along with the formulation of the third National Human Rights Plan (2017-2021), currently under way, specific plans to address more urgent problems, such as trafficking in persons, are being adopted and, in a development critical to intersectoral work, are being embraced by national, regional and local institutions.

6. The body responsible for the national mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment has been designated, and the representative for South America of the Office of the United Nations High Commissioner for Human Rights (OHCHR) has joined the National Human Rights Council as a permanent observer member.[1]

7. Lastly, the country is committed to the development of a follow-up mechanism for the implementation of the recommendations made by international organizations in the field of human rights.

III. Follow-up to the recommendations made during the second cycle of the universal periodic review

Acceptance of international standards (recommendations 116.2, 116.3, 117.1, 116.1 and 117.2)

8. In September 2012, the country ratified the International Convention for the Protection of All Persons from Enforced Disappearance.[2] In 2016, in its efforts to implement the Convention, it recognized the competence of the Committee on Enforced Disappearances to receive and consider communications[3] and adopted the Act on the Search for Persons Disappeared during the Period of Violence from 1980 to 2000,[4] which includes a corresponding national plan.[5] The General Directorate for the Search for Disappeared Persons, which is part of the Ministry of Justice, was established subsequently.[6]

9. In 2016, Peru ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure [7] and the Agreement on the Privileges and Immunities of the International Criminal Court.[8]

10. Work is still being done, however, on the Inter-American Convention Against All Forms of Discrimination and Intolerance, the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance and the Inter-American Convention on Protecting the Human Rights of Older Persons.

Cooperation with special procedures mechanisms (recommendation 117.5)

11. The Working Group on Enforced or Involuntary Disappearances conducted an official visit to Peru from 1 to 10 June 2015, at the end of which it transmitted its conclusions and recommendations, which are currently being assessed, to the national authorities.

12. An official visit by the Working Group on the issue of human rights and transnational corporations and other business enterprises took place from 10 to 19 July 2017.

13. The visits requested by the other mechanisms are being arranged with the relevant national bodies, so that the most suitable date can be found for them, in keeping with the standing invitation made by Peru to the special procedures mechanisms of the United Nations and in a spirit of transparency and cooperation.

Cooperation with other international mechanisms (recommendations 116.26 and 116.62)

14. The Ministry of Foreign Affairs coordinates regularly with the executive branch bodies responsible for human rights issues to deal in a timely fashion with the requests sent by OHCHR.

Constitutional and legal framework (recommendations 118.2, 116.7, 116.8, 116.14 and 116.15)

15. Following a challenge to their constitutionality, Legislative Decrees No. 1094 (Military and Police Criminal Code) and No. 1095 (rules on the use of force by the armed forces in the national territory) were assessed by the Constitutional Court, which issued a ruling stating that the definition of offences committed by military personnel and police officers in their official capacity contained in the Decrees and the exemptions for and restrictions on the use of force by the armed forces in states of emergency, armed conflict or social protests were constitutional and in line with international standards.[9]

16. The Peruvian Congress has formulated an opinion on the proposed reform of the Criminal Code, which includes provisions bringing the definition of crimes into line with the Rome Statute of the International Criminal Court and is currently awaiting discussion.[10]

17. The Peruvian National Police regulation imposing disciplinary sanctions on personnel for having sexual relations with persons of the same gender was repealed definitively in December 2012.[11]

18. In January 2017, following representations by a delegation of law-making powers, the executive branch issued Legislative Decree No. 1323, which included a person's sexual orientation or gender identity among the motives for intolerance or discrimination that constitute aggravating circumstances in connection with crime in general and with discrimination and incitement to discrimination in particular.[12] On 5 May 2017, however, Congress overturned the inclusion of those motives. This decision was vetoed by the executive branch, so the matter is pending.[13]

Institutions and public policies in general (recommendations 116.20 and 116.91)

19. Peru has continued to develop its institutional framework for the promotion and protection of human rights, as detailed in the present report.

20. The Rural Housing Support Programme was established in 2012 to improve the quality of life of the poor and extremely poor populations of remote rural population centres by providing them with housing units.[14] Act No. 30290,[15] which promotes the construction of safe rural housing suitable for populations affected by landslides associated with intense rainfall, earthquakes or with cold snaps and freezing weather, and the Multisectoral Freak Freeze and Freezing Weather Plan 2017, which gives priority to action in 16 of the country's departments, were also adopted.[16]

Structure of national human rights mechanisms — national human rights institution (recommendations 116.16, 116.18 and 116.17)

21. In December 2015, the Office of the Ombudsman was designated as the national mechanism for the prevention of torture.[17] Accordingly, the Office brought the Directorate of the National Preventive Mechanism into its organizational structure as a unit with operational capacity and functional independence[18] and adopted a protocol on work in the area.[19] The Act establishing the national preventive mechanism states that the mechanism is to be financed from the budget of the Ombudsman's Office and that it should not make requests for additional funds, a provision that has forced the Office to adapt and to make use of resources originally intended for other activities.

National Human Rights Action Plans (or plans for other specific areas) (recommendation 116.22)

22. In the National Human Rights Plan 2012-2016, priority was given to groups of persons in need of special protection, including women, children and adolescents, persons with disabilities and older persons. The new version of the Plan, the National Human Rights Plan 2017-2021, will include lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, human rights defenders and domestic workers.

Awareness-raising and outreach (recommendations 116.54 and 116.55)

23. Within the framework of the National Human Rights Plan, the armed forces hold periodic human rights training sessions, which are open to civilian authorities, judicial officials, representatives of governmental and non-governmental organizations, for their military personnel.[20]

24. Since the adoption[21] of a law governing the use of force and its implementing regulations,[22] the Ministry of the Interior has been working on an update to the handbook on applied human rights for the police, the formulation of guidelines for human rights education and training and the alignment of training and practice plans with the provisions of that law. The Peruvian National Police also adopted new syllabuses to be used in their training academies, syllabuses that, covering trafficking in persons, the rights of children and adolescents and a gender-sensitive approach to violence against women and interfamily violence, are consistent with relevant international standards.[23] They continuously conduct training activities along those lines.[24]

Equality and non-discrimination (recommendations 116.27 and 116.32)

25. The country's Directorate for Cultural Diversity and the Elimination of Racial Discrimination,[25] which is part of the Ministry of Culture, has been in place since 2013. It develops, runs and monitors programmes that help eliminate ethnic and racial discrimination and promote intercultural citizenship. One such programme is the official platform "Racism Warning",[26] which, in addition to other training and outreach activities, enables the public to report acts of ethnic and racial discrimination.[27] Building on the experience it has gained, the State is currently promoting the National Operation to Combat Racism, a strategic form of administration whose aim, through citizen involvement, is to raise awareness of racism and discrimination as a violent social phenomenon by promoting racism-free public spaces, organizing mass communication campaigns, providing civic education and, with technical assistance, strengthening the State's efforts to combat racism.

26. The National Policy for Mainstreaming an Intercultural Approach, whose third core theme, the elimination of racial and ethnic discrimination, included guidelines for

guaranteeing the right to equality, non-discrimination and the prevention of racism and for promoting the formation of intercultural citizens, was adopted in 2015.[28] The development of a national action plan to combat racism and of training, communication[29] and outreach strategies is promoted within this framework.[30]

27. The National Commission against Discrimination was established in 2013.[31] It is a multisectoral, permanent body responsible for measures for the design, implementation, operation and evaluation of a national platform for action against discrimination.[32]

28. The Yogyakarta Principles are being used as a guide in the formulation of documents in various spheres of State activity, such as the National Human Rights Plan 2017-2021 and report No. 175 of the Ombudsman's Office, on the human rights of LGBTI persons and the need for an equality policy in Peru.[33] They are also used to guide the formulation of preambles to bills, such as the bills on same-sex civil unions[34] (in respect of which the executive branch issued a favourable technical opinion[35]), gender identity,[36] marriage equality[37] and hate crimes,[38] and to inform the activities of working groups for the promotion of the rights of lesbian women[39] and GBTI persons.[40]

Right to an effective remedy (recommendations 116.61, 116.53, 116.63, 116.60, 116.59, 116.57, 116.56 and 117.3)

29. In 2005, in implementation of the recommendations of the report of the Truth and Reconciliation Commission, Peru established the Comprehensive Reparations Plan, which provides for seven reparations programmes (involving reparations in education, economic reparations, symbolic reparations, reparations in health, reparations in housing promotion and access, restoration of citizens' rights and collective reparations) for civilian, military and police victims during the period of violence from 1980 to 2000.[41] These programmes are carried out by the High-Level Multisectoral Commission attached to the Ministry of Justice.

30. More than 3,500 people have received reparations in the area of education, and the Ministry of Education is committed to compensating a further 6,450 in various ways by 2021. The elimination of the deadlines to apply for a transfer of the right to benefit from these reparations is of note,[42] as is the adoption of the Multi-year Education Reparations Plan 2016-2021, which provides for the award of a variety of education-related benefits to victims and their families.[43]

31. Since the launch of the Comprehensive Reparations Plan in 2011, individual monetary compensation totalling close to US$ 100 million has been granted to about 90,000 persons, approximately 98 per cent of the persons listed in the Central Register of Victims for suffering any of the forms of harm that create a right to monetary compensation. In addition, since the establishment of the twenty-third list of beneficiaries, compensation has been paid to victims of multiple forms of harm, with priority given to older persons and persons who suffered more harm.[44] While a large number of people are still owed monetary compensation for additional forms of harm (they were paid compensation for a single form), the State has undertaken to meet that obligation during the remainder of 2017, for which an additional budget is being drawn up.

32. Redress in respect of the 9,006 disappeared victims registered in the Central Register of Victims is also addressed. The High-Level Multisectoral Commission has supported the return of the remains of 975 of those victims, identified by the Public Prosecution Service thanks to advances in recovery and identification techniques. The families of those victims were given logistical and psychosocial support, a decent burial was provided and the families were offered an apology on behalf of the State.[45]

33. In addition, as of December 2016, the Reparations Board had recognized 176,799 people who had suffered harm, of whom (as of December 2016) 110,077 were insured under the Comprehensive Health Insurance System.[46] Of the latter, 65,231 had been the beneficiaries of a total of 447,708 health services. The capacities of primary and secondary health personnel are being strengthened in various regions of the country to help improve the care of the affected population.

34. Compensation is also provided in respect of housing development and access through the "Roof of Your Own" programme's family housing voucher and support for obtaining title to property.[47] The changes necessary to improving the services provided by this programme are being made.

35. With regard to the Programme to Restore Citizens' Rights, the Commission encourages local governments to issue rules that exempt persons on the Central Register of Victims from administrative fees. In coordination with the National Identity and Civil Status Register, the Programme has provided documentation for 548 persons on the Central Register of Victims who did not have a valid national identity document.

36. In addition, with the help of financial transfers to local governments, collective reparations of up to approximately US$ 30,000 are funded through productive or infrastructure projects in rural communities, indigenous communities and/or populated places that endured harm and are registered in the Central Register of Victims. Since the launch of the Programme in 2007, projects of this type have been funded in 2,408 communities or populated places and in connection with 13 organizations of non-returning displaced persons, mainly in the most heavily affected regions.[48]

37. As for symbolic reparations, efforts were made to promote the establishment of four ecological reserves, handed over in 2017, in Accomarca, Uchuraccay, Cayara and Soras in Ayacucho, the region most heavily affected during the period of violence.

38. The law governing the use of force[49] and its implementing regulations, in keeping with the new law on the Peruvian National Police,[50] establish as a general rule that force, including lethal force used with the aid of firearms, should be resorted to in a progressive and differentiated fashion, in accordance with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted within the United Nations framework.[51] It is also made clear that the police cannot invoke the orders of a superior when they are manifestly unlawful and that if such orders are carried out the superiors who gave them will also be liable for them. In addition, the regulations state that "police operations that do not meet the minimum standards for safeguarding life should be investigated and, if appropriate, lead to disciplinary sanctions, without prejudice to any consequent civil or criminal liability".[52] Similarly, in fulfilling their duty to maintain and restore order, all Peruvian National Police personnel should act in strict compliance with the Constitution and the law governing the use of force, while placing special emphasis on protecting human rights.

39. Moreover, Legislative Decree No. 1323 bolsters efforts to combat femicide, domestic violence and gender-based violence[53] by redefining the criminal offence of sexual exploitation and establishing aggravated penalties (from 20 to 25 years), significantly harsher than those for other criminal offences, when the victim is a child or adolescent.[54] It also establishes a custodial sentence of not less than 25 years and not more than 30 years in the event of the victim's death.

40. The Register of Victims of Forced Sterilization, for which the Ministry of Justice, which has sent records to 4,813 persons in 13 regions of the country, is responsible, was established in 2015.[55] The State, through the Ministry for Women and Vulnerable Groups, is responsible for providing them with psychological and social support. In December 2016, the Public Prosecution Service again discontinued the consideration of several complaints submitted with regard to these acts, which was the seventh time in 16 years that the consideration of these complaints had been discontinued. Currently, a protocol for the investigation of these cases is being developed in the Ministry of Justice.

Impunity (recommendation 116.58) and topic 20: administration of justice and fair trials (recommendation 116.49)

41. There are a number of obstacles, including those related to the excessive length of the proceedings, to the prosecution of the serious human rights violations committed during the period of violence from 1980 to 2000. The need for measures to surmount those obstacles and to provide victims and their families with free legal aid is thus evident. As it happens, in 2015 the Supra-provincial Criminal Prosecutors' Offices of Lima registered 44 preliminary investigations and 25 judicial proceedings in connection with crimes against humanity. The Offices of the Special Prosecutors of Ayacucho (two), Ayacucho-

Huancavelica (one), Huancayo (one) and Huánuco (one), for their part, were conducting 378 preliminary investigations into crimes against humanity. Of those Offices, only the Supra-provincial Offices of the Special Prosecutors Nos. 1 and 2 of Ayacucho are also responsible for judicial prosecution, whereas the others deal with the conduct of preliminary investigations. There was a total of 19 judicial proceedings relating to crimes against humanity registered at that date.

42. Furthermore, during the period from 2012 to August 2016, judiciary records showed that 72 persons were found guilty of crimes against humanity, 64 were sentenced and 157 were acquitted. In 26 cases, a decision on whether to file formal complaints was postponed. In connection with crimes of torture, 22 trials were held, 64 persons stood accused, 13 were sentenced and 49 were acquitted, while one case led to a dismissal of proceedings and another to a withdrawal of the charges. Lastly, in connection with enforced disappearances, 17 trials were held, 38 persons were prosecuted, 13 were sentenced and 23 were acquitted. In two cases, decisions on whether to file formal complaints were postponed.

Business and human rights (recommendation 116.113)

43. As explained in detail in the present document, the Peruvian State is implementing and strengthening its policy of prior consultation with indigenous peoples, especially in the context of extractive activities, with a view to avoiding violations of their human rights. In the process of formulating the National Human Rights Plan 2017-2021, a new orientation, which draws on the international framework of the United Nations, is being developed to guide government policy on business and human rights.

Death penalty (recommendations 116.4, 116.5 and 116.6)

44. The 1993 Constitution establishes the death penalty for especially serious offences only (terrorism and treason in the event of foreign war). However, the last time a death sentence was handed down and carried out was in 1979, so, although the country has not abolished the death penalty, its policy has been one of de facto abolition.

Prohibition of torture and cruel, inhuman or degrading treatment (recommendations 116.34 and 116.35)

45. Members of the armed forces participate in training workshops on international humanitarian law and human rights. Civilian and police authorities, judicial officials and State and non-governmental organizations also participate in these workshops.[56] Members of the Peruvian National Police, for their part, participate in training activities on human rights and policing, where the prohibition of torture and ill-treatment is dealt with.

Conditions of detention (recommendations 116.64, 116.65, 116.66 and 116.67)

46. As of February 2017, there were 82,507 persons deprived of their liberty in Peru, a number that far exceeds capacity, which is estimated at 35,928. In this regard, the National Prison Institute has been carrying out reforms, including building new prison facilities[57] and upgrading existing ones.[58] Legislative Decree No. 1322 was also published.[59] It seeks, inter alia, to help reduce prison overcrowding through a system of electronic surveillance applicable (i) to accused persons facing charges for the alleged commission of offences punishable by no more than 8 years' imprisonment and (ii) to convicted persons who have been given a custodial sentence of no more than 8 years. In addition, the procedural provisions on home detention were amended to state that such detention will be imposed, even though pretrial detention might ordinarily be called for, when the accused is over 65 years of age; is suffering from a serious or incurable illness; has a serious and permanent physical disability that significantly hampers his or her mobility; or is an expectant mother.[60]

Prohibition of slavery and trafficking in persons (recommendations 116.42, 116.21 and 116.48)

47. February 2016 saw the adoption[61] of the new implementing regulations of Act No. 28950, the Trafficking in Persons and Smuggling of Migrants Act, which addresses the

powers and duties of the relevant entities, the prevention measures to be taken, the risk factors involved, the prosecution of perpetrators and the protection, assistance and reintegration of victims, collaborators, witnesses, experts and their dependants, in cooperation with civil society, States and international organizations.[62] The implementing regulations also established a permanent multisectoral commission to develop rules, plans, strategies, programmes, projects and activities and to follow up on and monitor their implementation at the three levels of government.[63]

48. In the area of investigation and prosecution, the Ministry of the Interior has been strengthening a policing system that includes a national directorate[64] and decentralized investigation departments.[65] Similarly, to enhance its role, the Public Prosecution Service has established eight specialized provincial offices[66] and one specialized high prosecutor's office.[67]

49. Under the new National Plan to Combat Trafficking in Persons (2017-2021), the actors involved in addressing this issue will participate in three main areas: (i) institutional governance, prevention and awareness-raising; (ii) care, protection and reintegration; and (iii) monitoring and prosecution of the crime.[68] Plans have also been made to strengthen this process and set up more special prosecutors' offices at the national level, at least in the most heavily affected areas. In addition, an intersectoral protocol for the prevention and prosecution of the crime and for the protection, care and reintegration of victims was adopted,[69] as was a handbook on the establishment of protocols for the identification and/or referral of at-risk users of social programmes.[70]

50. The budget for the Plan increased significantly — by 1,600 per cent — between 2012 and 2017, but it is meagre in comparison with the magnitude of the problem.[71]

51. The National Commission to Combat Forced Labour, which was established earlier, in 2013, adopted the second National Plan to Combat Forced Labour (2013-2017).[72] The Plan provided for a system of comprehensive care for rescued victims and created the conditions to prevent the resurgence of forced labour.

Liberty and security in general (recommendations 116.33, 117.4 and 116.41)

52. The Peruvian State has taken specific measures to ensure and safeguard the human rights of civilians against a backdrop of crime, social conflict and other forms of violence and exploitation, as explained in this report.

Freedom of opinion and expression (recommendation 116.73)

53. The State is committed to improving its legislation to ensure that it has no laws that might be deemed restrictive of freedom of expression.

Rights relating to names, identity and nationality (recommendations 116.70, 116.71, 116.69 and 116.68)

54. In 2016, 99.2 per cent of Peruvians had a national identity card, a figure that represented a considerable improvement on the 97.3 per cent in 2012. Although the increase has been sustained in all areas of the country, the figure in rural areas (98.4 per cent) has not yet reached the national average.[73] To close this gap and provide documentation services free of charge to the country's most remote settlements, especially in the Amazon Basin, a number of mobile service strategies have been pursued in coordination with other sectors.[74] In 2015, furthermore, a strategy for technical assistance with registration was implemented. It is aimed at strengthening 200 civil register offices in native communities and populated places, where a large percentage of birth records was found to contain errors and omissions. Such a situation is detrimental to children. The strategy has been implemented with a focus on indigenous communities and populated places in poverty or extreme poverty.

Economic, social and cultural rights: general measures of implementation (recommendations 116.23 and 116.109)

55. The National Policy for Mainstreaming an Intercultural Approach, which gives priority to the health, education and justice sectors, has been in place since 2015.[75] Significant progress has been made, especially as far as indigenous and Afro-Peruvian women are concerned, through such forums as the Working Group on Indigenous Policies[76] and the Working Group on Afro-Peruvian Policies.[77] The National Plan for the Development of the Afro-Peruvian Population 2016-2020, whose overall objective is to guarantee the Afro-Peruvian population's rights to equality and non-discrimination and to promote its advancement, was adopted in 2016.[78]

56. The Sectoral Policy on Intercultural Health, for its part, was adopted in 2016.[79] It includes a plan, currently awaiting adoption, that sets out operational strategies for the implementation of the Policy. The challenge, which would involve recognizing indigenous medicine and mainstreaming an intercultural perspective at the various levels of care, is to build a mechanism that brings together the national and indigenous health systems. A protocol for vertical childbirth, which has intercultural relevance, was adopted in 2016 with a view to helping reduce perinatal maternal morbidity and mortality.[80] In addition, to address the barriers imposed by the geographical inaccessibility of health facilities, a culturally appropriate strategy of developing residential facilities for expectant mothers has been pursued. A protocol for the prevention and control of HIV infection among indigenous peoples of the Amazon Basin, which has intercultural relevance, was also adopted in 2016.[81]

57. The new national curriculum takes cross-cutting approaches that seek to expand the skills of students, guide classroom instruction and emphasize gender equality and interculturality in all educational processes.[82] The Sectoral Policy on Intercultural Education and Bilingual Intercultural Education, which lays down rules on intercultural education, provides for educational assistance for the Afro-Peruvian population and will serve as the framework for the National Bilingual Intercultural Educational Plan until 2021, was adopted in the same spirit.[83]

58. In 2013, with regard to access to justice, the judiciary adopted one protocol on coordination among justice systems and another on court proceedings involving members of peasant communities and village patrols.[84] Similarly, in 2016 the Ministry of Culture and the judiciary drafted the preliminary version of a protocol on anthropological expertise, the adoption of which by the judiciary is pending.

Right to an adequate standard of living in general (recommendations 116.88 and 116.19) and human rights and poverty (recommendations 116.78, 116.79, 116.80, 116.81, 116.82, 116.83, 116.84, 116.85, 116.87, 116.89, 116.86, 116.92 and 116.90)

59. Social policy priorities[85] that set targets for the reduction of poverty and vulnerability by 2021 were defined in 2016. Chief among them are eliminating extreme poverty and reducing total poverty from 22 to 15 per cent over the period 2015 to 2021, increasing the proportion of rural households with access to basic services, reducing the rate of chronic malnutrition in children under 5 years of age from 14 to 6 per cent and reducing the rate of anaemia in children aged between 6 months and 3 years of age from 44 to 19 per cent.

60. Adopted against that backdrop[86],[87] was "Inclusion for Growth", the National Strategy for Development and Social Inclusion, which is aimed at closing gaps in access to opportunities and building people's capacities at all stages of their lives.[88] The Strategy focuses on child nutrition, early childhood development, the comprehensive development of children and adolescents, economic inclusion and the protection of older persons. It takes the cross-cutting issues of interculturality, disability and gender into consideration in all cases.

61. In addition, the Ministry of Development and Social Inclusion has a strategy for sustainable social action whose objective is to improve the living conditions and promote the development of the inhabitants of indigenous communities.[89] Similarly, "Prosper", the Strategy for the Reduction of Urban Poverty, was adopted in 2017 to ensure that all persons

living in urban areas can develop their capacities and gain access to opportunities for development in a fair and sustainable manner.

62. The Ministry is responsible for social programmes to help the most deprived and vulnerable persons, including (i) Water +, which involves initiatives for the repair, maintenance and effectiveness of drinking water and sanitation systems in rural communities; (ii) Cradle Plus, which seeks to ensure that children have basic skills at the end of the second cycle of standard basic education and to improve the development of children under 3 years of age living in situations of poverty and extreme poverty; (iii) Qali Warma, a national food supplement programme for children in public primary schools and for adolescents in public secondary schools in the Amazon Basin; (iv) "Together", a programme of direct support to the poorest people, which seeks to ensure that the population living in extreme poverty has access to health services and education by providing benefits conditional on compliance with household responsibilities related to school attendance and health care;[90] and (v) Wayside Stations (tambos), State platforms in remote rural areas through which public and private entities offer social and economic services and activities to the people within their area of influence. All these programmes contribute to improvements in the quality of people's lives, the creation of equal opportunities and the development or enhancement of the population's individual and collective capacities.

63. The Ministry's budget has increased significantly, from 2,895,080,000 soles in 2012 to 4,378,950,000 soles in 2017.

Right to work (recommendation 116.112) and topic 37: Indigenous peoples (recommendations 116.108, 116.111 and 116.110)

64. Peru has had an act on the right of indigenous or native peoples to prior consultation since 2011. [91] Its implementing regulations were published in 2012.[92] In 2016, those regulations were supplemented by a directive[93] that regulates the procedure for making exceptions to this right in cases of administrative measures related to the construction and/or maintenance of health, educational and public service facilities.[94]

65. In 2013, in addition, the Permanent Multisectoral Commission for the implementation of the right to prior consultation was established[95] and regional workshops were held with public officials on progress towards implementing the right. A methodological handbook on the right to prior consultation, intended to serve as a guide for the officials responsible for the process, was published the same year. A consultation plan model, which provides sponsoring agencies with guidance for developing such plans with representatives of indigenous organizations once the process has begun, was published in 2014. A methodological handbook on the procedure to be followed by regional governments to seek a favourable technical opinion from the Office of the Deputy Minister of Intercultural Affairs was also published, and a system was set up to sound early warnings when there are sightings of uncontacted indigenous peoples. In addition, several training sessions and workshops with indigenous leaders and public officials were held between 2014 and 2016.[96]

66. In 2014, there were 14 prior consultation processes involving 16 indigenous peoples (3 have been concluded, 1 is at the stage at which a decision is to be made, another is being publicized and yet another is about to be publicized); in 7 of the processes, the relevant indigenous peoples are being identified, and in 1 a decision on the measures to be taken is imminent. In 2015, there were 13 processes involving nearly 500 communities and populated places and more than 25 indigenous peoples in 8 regions and 1 at the national level.[97] Six of these processes were connected with the oil and gas sector, two with protected natural areas, three with the mining sector and two with other sectors. The first consultation processes involving the mining industry in three communities[98] and in the Andean Highlands were also carried out. On one of these, relating to the proposed Three Canyons Regional Conservation Area, agreements were reached with seven indigenous communities. In 2016, there were nine consultation processes involving approximately 30 communities of two indigenous peoples from five regions.[99] Seven of the consultations were connected with the mining sector, one with protected natural areas and one with energy. All have been concluded. There have been two consultation processes in 2017.[100]

67. Furthermore, a register of interpreters and facilitators was created[101] and a directive regulating inclusion in the register was adopted.[102] A directive regulating the operation of the official database of indigenous peoples was also adopted,[103] while the registers of indigenous peoples in voluntary isolation and in initial contact and of indigenous reservations[104] were set up in 2013, in accordance with the implementing regulations of Act No. 28736.[105] In the same year, promotional material regarding prior consultation and official documentation were translated into six indigenous languages.[106] For the first time, in addition, information was posted on the website of the indigenous peoples database. In 2014, information on 24 indigenous peoples and 7 representative organizations was added to the database. As of 2015, the database had records on 55 indigenous peoples.

68. Action to document the Nanti and Nahua population of the settlements of Maranquiato, Sagondoari and Montetoni, which is in initial contact, began in 2013.[107] The guidelines specifying the tools for the collection of social information and defining the criteria for using them in identifying indigenous or native peoples were adopted in 2014.[108] Also adopted was a directive on rules for the preparation of the anthropological contingency plan, in connection with indigenous peoples in voluntary isolation or initial contact, which is called for in the environmental regulations on hydrocarbon activities.[109] Likewise, a directive was adopted on rules, guidelines and procedures regulating the implementation of Supreme Decree No. 007-2013-MC, which approved the mechanisms for such matters as economic compensation and other payments to indigenous peoples in isolation or in initial contact located in indigenous and territorial reservations.[110]

69. The standing working group responsible for coordinating, proposing and monitoring public policies involving indigenous peoples and/or requiring an intercultural perspective[111] was established in 2014 with the participation of representatives of the Office of the Deputy Minister of Intercultural Affairs and national indigenous organizations. In addition, since 2012, there has been a participatory forum for indigenous and Afro-Peruvian organizations, where the National Commission on Bilingual Intercultural Education was established.[112]

70. In 2015, a proposal for the National Strategy for Indigenous Communities was developed and put into effect. Working in a number of different areas and sectors, it seeks to provide public services with cultural relevance, designed and implemented through institutionalized forums in which indigenous peoples participate. A technical committee on development, bringing together the State and the indigenous peoples of the Central Jungle, was established the same year. It has led to the conclusion of 41 agreements that will be monitored and coordinated.

71. The indigenous aspect of a project to strengthen the response to HIV among key groups of vulnerable city and jungle-dwellers in Peru was developed against that backdrop. Its main components are training on intercultural issues for the members of community intercultural dialogue teams and the mobile Amazonian squads doing fieldwork in priority areas of Loreto Department. In addition, there is constant coordination with organizations of indigenous people and local stakeholders.

72. In 2016, a national multisectoral standing commission composed of representatives of 14 public institutions and 2 representatives of indigenous peoples' organizations was established to preserve and enhance the value of the traditional and ancestral knowledge and practices of indigenous peoples.[113] The commission is developing a national strategy on that subject in consultation and coordination with indigenous peoples' organizations and civil society.

73. A special scholarship for indigenous or native peoples in special situations has also been established.[114] It offers various ways of obtaining funds for postgraduate university and technical or economic studies and seeks to narrow the divide facing indigenous people as far as access to higher education is concerned.

Right to just and favourable conditions of work (recommendation 116.77)

74. Three action plans for domestic workers have been adopted since 2014.[115] In addition, a directive structuring the obligations of employers of domestic workers was issued in 2014 with a view to ensuring that they were met. The main outcome of these plans has been the establishment of a task force responsible for advancing the realization of the

plans, starting in 2016-2017.[116] A protocol on monitoring fulfilment of the obligations under this arrangement was also adopted.[117] The protocol clearly and specifically sets out the rules and requirements for the conduct of inspection activities, thereby contributing to the effective verification of the enforcement of labour laws.

Right to health in general (recommendations 116.94 and 116.93) and access to sexual and reproductive health and services (recommendations 116.95, 116.96, 116.97, 119.8, 119.9, 119.6, 119.7 and 116.98)

75. To increase the availability of comprehensive services and meet the demands of the population with regard to sexual and reproductive health, the Ministry of Health updated the family planning technical regulations, which standardize procedures and include the widest range of contraceptives (female condoms, monthly injections and implants, the emergency oral contraceptive levonorgestrel and others).[118] Moreover, the regulations include provisions on high-quality and safe comprehensive care with regard to family planning in health-care facilities at various levels. They also focus on respect for the rights of users not to be discriminated against for any reason. The prevalence of contraceptive use rose from 75.4 per cent in 2011 to 76.2 per cent in 2016.

76. The interpretation of article 4 of the General Health Act whereby adolescents' access to contraceptives was restricted has been overturned and, in keeping with the view that family planning is not medical or surgical treatment but an activity designed to prevent unwanted pregnancies, a programme giving adolescents access to health services for the prevention of pregnancy was launched. This ensures that they are provided with orientation, advice and customized comprehensive care, with an emphasis on sexual and reproductive health. Despite these efforts, the rate of teenage pregnancy is high (12.7 per cent as of 2016, according to official figures).[119]

77. The technical health regulations for the comprehensive and differentiated care of adolescents during pregnancy, childbirth and the postnatal period were also adopted.[120] The regulations encourage access to contraceptives in the postnatal or post-abortion period after orientation or counselling in sexual and reproductive health, with the emphasis placed on family planning to prevent another pregnancy.

78. Nationwide, the percentage of births taking place in health-care facilities has increased little by little, from 84.3 per cent in 2011 to 92.2 per cent in 2016. The increase has been greater in rural areas (from 62.6 per cent in 2011 to 76.8 per cent in 2016), an achievement that was made possible by the empowerment of health workers, culturally appropriate health services, culturally appropriate assistance for vertical childbirth, residential facilities for expectant mothers and comprehensive health insurance.

79. In addition, strategies have been put in place to prevent mother-to-child transmission of HIV with the introduction of rapid tests for syphilis and HIV. Highly active antiretroviral therapy for HIV is also available, while pregnant women and newborn babies receive free antiretroviral and prophylactic therapy respectively.

80. In Peru, both the Civil Code and health regulations allow therapeutic abortion only to save the life of the mother. It is a criminal offence under the Criminal Code of 1991 in all other cases.[121] The national technical handbook on the standardization of comprehensive care procedures for women who, with their informed consent, are undergoing a voluntary therapeutic termination of pregnancy before the twenty-second week of pregnancy was adopted against that backdrop in 2014.[122]

81. In the educational sphere, the Multisectoral Plan for the Prevention of Adolescent Pregnancy seeks to ensure that male and female students continue, retain access to and complete their basic regular education and to provide them with a high-quality, comprehensive sex education programme. In 2015, 68.6 per cent of adolescents aged 17 or 18 years had completed secondary education. Various initiatives have sparked the development of education policies with a gender focus, such as the National Education Project 2021 and the cross-cutting incorporation of comprehensive sex education in the national basic education curriculum, which are also addressed during tutoring sessions.[123]

Right to education (recommendations 116.99, 116.100, 116.102, 116.101, 116.25, 116.104 and 116.103)

82. According to official information, the total budget allocated to education by the three levels of government rose by more than 50 per cent between 2012 and 2017.[124] With a view to making basic regular education universal and to increasing coverage at the preschool and secondary levels — there is already access to primary education in around 98 per cent of both urban and rural areas — strategic action is being taken in all the regions. Furthermore, a number of alternatives have been developed as part of efforts coordinated with regional bodies.[125] They include early education centres, non-school early education programmes for children aged 3 to 5 years, divided into family environment and community environment programmes, and the opening of secondary schools that offer diversified forms of instruction in areas of low population density.

83. These actions have increased the availability of early education, with a resulting rise in the net enrolment rate from 83.95 per cent in 2015 to 86 per cent in 2016. The gap between urban and rural areas has narrowed considerably, as enrolment rates in rural areas rose from 68.36 per cent in 2011 to 84.09 per cent in 2015. The net rate of enrolment in secondary education for the population aged 12 to 16 years reached 84.3 per cent in 2015. Efforts are being made to ensure that, by 2021, 85 per cent of children aged 3 years, who have the lowest rate of enrolment in such programmes, have access to early education programmes. It will therefore be necessary to increase the flexibility of the options available to children of that age and understand parents' reasons for not enrolling them.

84. Between 2012 and 2015, the illiteracy rate remained at around 6 per cent and was higher in rural areas. Accordingly, the Literacy Programme is mounting campaigns to tackle a number of drawbacks associated with the absence of comprehensive alternatives for rapid literacy and the lack of continuity in their studies or their attendance at learning circles, owing to the limited coverage.[126] In addition, nearly a million people between the ages of 15 and 30 have not completed basic education and are working or are neither studying nor working.[127] Since 2010, moreover, a strategy for the support and in-service training of teachers in one-room schools has been in place.[128] To ensure that it is implemented and to help improve classroom instruction, priority has been given to proficiency and performance in the teachers' and administrators' performance framework. Given the complexity of the work of teachers in one-room schools in rural areas, diversified training strategies to promote their autonomy are being formulated. In 2017, this initiative is being implemented in 6,150 educational institutions (46 per cent coverage) in all 25 regions of the country, while reaching 153,961 students (45 per cent coverage), with 13,570 teachers.

85. Bilingual intercultural education is offered in 11,616 early education institutions, covering 224,960 children, and in 11,639 primary schools, covering 607,740.[129] In addition, a pilot project has been in place in 30 secondary institutions since May 2017, the budget for which rose by 85 per cent from 2015 to 2016.[130] Furthermore, educational materials, in the form of workbooks, in 23 indigenous languages as mother tongues, in Spanish as a second language and in 5 indigenous languages as heritage languages have been distributed in 2017.[131]

86. The rate at which adolescents aged between 12 and 16 years attended secondary school increased from 86.7 per cent in 2001 to 92.7 per cent in 2015. Ten per cent of adolescents of the same age living in rural areas do not attend an educational institution, substantially more than the percentage in urban areas (6.9 per cent); their dropout rate is 8.2 per cent, 1 per cent higher than that of the urban population. The school dropout rate is determined by different factors, one of the most important of which is the economic factor, especially in rural areas, where the participation of children and adolescents in economic activities is far more frequent. The high costs of not performing household tasks and the costs generated by pregnancy, adolescent motherhood and difficult geographical access are also factors. In addition, in the Amazon Basin, there are costs and logistical complications that force adolescents to move to another location to continue their secondary studies.

87. The initiative "Teaching Support for Rural Secondary Schools", which reaches 1,100 teachers in rural areas and thus has an impact on some 25,758 students (9 per cent of

the students in the country's rural areas), was undertaken to surmount those obstacles. In addition, the Teaching Modernization Programme, for teachers in rural secondary schools in seven of the country's regions, was launched in 2016. A set of rules on diversified educational methods at the secondary level of basic regular education in rural areas was adopted, also in 2016.[132] The rules establish a general legal framework that defines the main features of the diversified teaching methods and the ways of using them. The target population is children and adolescents who have completed the sixth grade of primary education at an age no more than 3 years higher than ordinary sixth graders and who are located more than 75 minutes on foot from a public or private secondary institution.

88. The Early Intervention Programme, for children with disabilities up to 3 years of age, has also been launched. The idea is that once children reach that age, their education should continue in inclusive schools that are part of the regular school system. Such schools will rely on the services of advisory teams made up of teaching staff, non-teaching staff and special education specialists. Students with severe disabilities, however, after their passage through the Early Intervention Programme, continue their education in Basic Special Education Centres. As of 2015, educational materials, equipment and resources, including a number of textbooks in Braille, had been distributed to a considerable number of Basic Special Education Centres and Early Intervention Programmes.[133] Although 28,400 students with mild disabilities were educated in inclusive schools and 16,986 with severe disabilities attended Basic Special Education Centres and participated in Early Intervention Programmes, a large percentage of children and adolescents with disabilities were not provided with these services. Their inclusion is an urgent challenge for the State.

89. The relevant State institutions sign cooperation agreements for the constant improvement of education in prison through training programmes, refresher courses and internships for education personnel (directors, coordinators and instructors).[134] This helps improve the educational services offered to persons deprived of their liberty at every different stage, cycle and level, in every category and in all educational programmes. One such service is the Literacy Programme for Persons Deprived of Their Liberty, which encourages the development of reading and writing skills, while also ensuring the completion of primary education.

Discrimination against women (recommendations 116.75, 116.76, 116.31, 116.28 and 116.29)

90. Progress has been made towards the implementation of measures of general import. The main example is the National Plan for Gender Equality 2012-2017,[135] which set up the Permanent Multisectoral Commission, the body responsible for monitoring the achievement of the Plan's strategic objectives. There are also regional plans on gender equality and women's rights. Since 2012, 17 regional governments have adopted such plans (10 of the plans address equality and 7 deal with efforts to combat violence against women). In December 2016, 22 of the 29 entities represented on the Commission reported that they had one or more bodies responsible for the implementation of gender equality policies. Similarly, the National Gender Indicators System was set up in 2013 and formalized in 2015.[136] It uses a computer application to follow up on and evaluate the policies set out in the Plan and other national policies.

91. Regulations have been issued to promote gender equality, including Act No. 29824, the Magistrates Act, which emphasizes the judiciary's obligation to promote the participation of women in the election and appointment of judges.[137] Legislative Decree No. 1318,[138] which regulates the occupational training of the National Police, was also adopted. Article 11 of the Decree prohibits police academies from restricting or withdrawing cadets' student status for such conditions as pregnancy, motherhood or fatherhood or from taking them as grounds for a finding of a rules violation or the administration of punishment. Act No. 30007, for its part, which amended a number of articles of the Civil Code to ensure that women and men in de facto unions had equal inheritance rights, was adopted in 2013.[139]

92. The number of undocumented women fell from 1.6 per cent in 2013 to 0.9 per cent in 2016 (0.7 per cent in urban areas and 1.8 per cent in rural areas). In addition, a regulation establishing the free processing and issuance of national identity cards for minors and adults was adopted in that year in order to reduce the number of people without documents.

93. A process of identifying, monitoring and addressing cases of persons facing social risks — such as dropping out of school as a result of pregnancy, cohabitation or other factors — or social violence has been implemented. It is hoped that, in 2017, detailed information breaking down the reasons that students drop out of school and similar institutions will be collected.

94. Against that backdrop, the national basic education curriculum incorporates a gender perspective and promotes equality of opportunity for both sexes, as well as the rejection of all forms of discrimination and violence.[140]

95. Although none of the regional governments have provided information on specific plans or programmes that help promote the participation of women in politics or their inclusion in the business world, they have provided information on specific actions to advance women's political participation, such as issuing ordinances stating that promoting women's right to political and civic participation, and ensuring its realization, is a priority that is in the public interest.

96. While parity has not been achieved, the participation of women in the public sphere has increased significantly. Thus, in 2016, women accounted for 33 per cent of judicial appointees; 23.4 per cent of commissioned National Police officers and 17 per cent of non-commissioned officers; and 27.7 per cent of elected members of Congress, a figure higher than the 22.3 per cent attained at the general elections of 2011. On the other hand, only 1 woman was elected a regional governor, only 3 were elected mayor of a province and only 53 mayor of a district, out of a total of 1,851 provincial and district municipalities.

Violence against women (recommendations 116.36, 116.52, 116.51, 116.37, 116.39, 116.38, 116.40 and 116.30)

97. The National Programme to Combat Domestic and Sexual Violence is responsible for prevention policies and policies for the care and support of persons involved in gender-based violence, particularly domestic and sexual violence, directed against women and members of the family.[141] In this context, between 2015 and 2016 a new legislative framework was adopted. It included Act No. 30364, the Act on the Prevention, Punishment and Eradication of Violence against Women and Household Members,[142] and its implementing regulations;[143] the protocol for inter-institutional action to address femicide, attempted femicide and high-risk partner violence;[144] the National Plan to Combat Gender-Based Violence 2016-2021;[145] and the intersectoral protocol for the prevention and prosecution of trafficking in persons.[146] The Peruvian National Police, for their part, adopted a handbook on procedures for police operations in the framework of Act No. 30364.

98. Since August 2016, there has been a policy on strengthening the "Women's circle of protection" by coordinating prevention, care services and support for the social, emotional and economic recovery of the victims, with a view to eradicating gender-based violence and its most extreme expression, femicide. Whereas in 2012 there were 175 women's emergency centres, there are now 245 — at least one in all of the country's provinces — that are run jointly with local governments, 5 of which are open 24 hours a day. Improvements have been made to the free telephone helpline, Line 100, which operates 24 hours a day, and shelters have been opened (there are currently 4, with plans to reach 12 by the end of 2017). Instruments for the specialized care of victims by women's emergency centres have been adopted,[147] as have rules on the care of people living with HIV and affected by violence,[148] an intersectoral protocol for action in response to femicide, attempted femicide and high-risk partner violence,[149] and other relevant instruments. The number of people served by women's emergency centres increased from 42,537 in 2012 to 70,510 in 2016. In 2017, as of May, 33,692 people had been served.

99. The Prevention, Care and Protection Strategy to Address Domestic and Sexual Violence in Rural Areas was adopted in 2012.[150] It established a local system of intercultural justice in 33 rural districts of 18 regions, jointly with local governments, community leaders and institutional actors, to promote coordination between ordinary and community justice systems. The Strategy includes plans and protocols appropriate to the institutional and community reality in rural areas.

Children: definition, general principles and protection (recommendations 116.24, 116.9, 116.10, 116.11, 116.12, 116.13 and 116.50); children: protection from exploitation (recommendations 116.44, 116.45, 119.4, 116.46, 116.47 and 116.43); and children in armed conflict (recommendation 118.1)

100. The Yachay National Programme was set up in 2012 to restore the rights of street children and adolescents with the help of specialized support services at model centres, educational training services, alternative social services and legal aid.[151] As of April 2017, the Programme had provided services for 14,265 children and adolescents living or working on the street by restoring their rights, in the form of national identity cards, comprehensive health insurance, school reintegration and access to educational services, artistic and leisure opportunities, sports and legal aid, and for 9,686 families. It is estimated that, as a result of these services, 3,459 children and adolescents left the streets and 8,744 spent less time on them. The budget for the Programme increased by nearly 100 per cent between 2012 and 2017.

101. Act No. 30403, which prohibits the physical or humiliating punishment of children and adolescents and stresses the importance of the right to decent treatment, with a view to enhancing their status as persons endowed with rights and as citizens, was adopted in 2015.[152]

102. Child and adolescent labour is regulated by the Code on Children and Adolescents, which also sets the minimum age for admission to employment: 15 years for non-industrial farm work, 16 for industrial, commercial or mining work, 17 for work in industrial fisheries and 14 for other forms of work, provided that the work is not harmful to minors' health or development, that it does not interfere with or restrict their attendance at educational facilities and that it allows them to participate in vocational guidance or training programmes. The Code explicitly addresses the issue of minors who perform domestic work[153] and defines their rights, minimum wage ranges, social benefits and the number of working hours per day and week. These provisions are supplemented by a list of the activities and jobs that are dangerous or harmful to adolescents' health and psychological well-being.[154]

103. The fines for child labour, which is considered an indefensible offence, were increased considerably in 2013. They range from 50 taxation units for micro-businesses and 100 for small businesses to 200 in other cases.[155] In addition, the protocol on action in the area of child labour, which sets out the minimum requirements for coordinated and effective action, was adopted.[156]

104. The National Strategy for the Prevention and Eradication of Child Labour, which seeks to eradicate the worst forms of child labour by 2021, was launched in 2012. The Commission for the Prevention and Eradication of Child Labour has sponsored an array of initiatives with the involvement, as guests, of other international and private organizations. Yearly plans overseen by the Ministry of Labour and Job Creation have thus been adopted since 2013. Regional steering committees, coordinated by the regional governments and composed of representatives and the sectors and institutions comprising the Commission, were established for the same purpose. These committees have been formed in all 25 regions of the country.

105. In this context, the Ministry conducts joint activities with the International Labour Organization, among them the publication in November 2016 of a national survey focusing on child labour[157] and the development of a child labour registration system, which collects records on the assessment and transmission of information on academic achievement, school enrolment and support for and advancement of students with records in the system. Furthermore, within the framework of the National Strategy for the Prevention and Eradication of Child Labour, the Ministry of Labour and Job Creation and the Ministry of Education, in particular, use the media, workshops, public awareness campaigns and other methods to conduct outreach activities.

106. In addition, the Ministry for Women and Vulnerable Groups has adopted a protocol on assistance for persons and families rescued from terrorist groups and established a standing multisectoral commission tasked with monitoring compliance with the objectives of such assistance. It is part of the Office of the Deputy Minister for Vulnerable Groups.

Persons with disabilities: definition, general principles (recommendations 116.105, 116.107 and 116.106)

107. Act No. 29973, the General Act on Persons with Disabilities, was published in December 2012.[158] The adoption of this Act was the first step in the process of bringing domestic legislation into line with the Convention on the Rights of Persons with Disabilities. It also coincided with the shift to a conceptual model aimed at steering public policy towards the progressive removal of barriers that shape and exacerbate the exclusion caused by disability. The National Council for the Integration of Persons with Disabilities is responsible for monitoring and reviewing progress towards the implementation of the provisions of the Act.[159]

108. With a view to contributing to the implementation of the Convention, Act No. 29889, which guarantees the rights of persons with mental health problems, has been published,[160] as have Act No. 29992, which establishes the length of postnatal leave in cases of births of children with disabilities;[161] Act No. 30012, which gives workers with immediate family members who have a serious medical condition or a terminal illness or have had a serious accident the right to take leave;[162] Act No. 30119, which gives workers in the public and private sector the right to take leave for the medical treatment and rehabilitation of persons with disabilities;[163] Act No. 30150, on the protection of persons with autism spectrum disorders;[164] Act No. 30412, which provides for free public land transport for persons with severe disabilities;[165] Legislative Decision No. 30371, which endorses the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled;[166] the Severe Disability Allowance Programme;[167] a legislative decree adopting measures to simplify the administration of disability certificates;[168] and another such decree providing for the creation of a vehicle badge enabling persons with disabilities to use special parking spots.

109. In addition, the amendment of several articles of the Civil Code to fully recognize the legal capacity of persons with disabilities, while providing the necessary support and safeguards, is pending. Eliminating legal provisions that fail to recognize the legal capacity of this group of persons will make it possible to harmonize domestic and international law. Disability has also become a matter of institutional relevance within the framework of binding national policies, while the first national survey to focus on disabilities has been conducted and strategic budgeting programmes related to disability as it pertains to such matters as health, inclusive education and access to the labour market have been implemented.

110. Lastly, the Equal Opportunity Plan for Persons with Disabilities 2009-2018 was adopted. It is designed to help improve the quality of life of persons with disabilities through prevention, preferential treatment, affirmative action and the strengthening and expansion of existing services, while facilitating access to them and enhancing their quality and coverage. The Standing Multisectoral Commission tasked with monitoring and follow-up to the Plan, with a view to ensuring that the initiatives of each of the sectors involved are implemented, was also formed. However, the Plan is being redrafted to ensure that it is in line with Act No. 29973, the provisions of international law and the domestic legal framework for strategic planning.

Human rights defenders (recommendations 116.74 and 116.72)

111. In the absolute conviction that human rights defenders are essential to a constitutional and democratic State governed by the rule of law, the National Human Rights Plan 2017-2021 has been formulated in such a way as to entitle them to special protection. Policies informed by this conviction will be developed with input from human rights defenders themselves.

Notes

[1] Aprobado en la sesion del Consejo Nacional de Derechos Humanos del 20 de julio de 2017.
[2] Mediante Resolucion Legislativa N° 29894, publicada en el diario oficial el 6 de julio de 2012.
[3] A través de la Resolucion legislativa N° 30434, del 13 de mayo de 2016.

[4] Ley N° 30470, publicada en el diario oficial El Peruano el 22 de junio de 2016.
[5] Aprobado mediante Resolución Ministerial N° 0363-2016-JUS, publicada en el diario oficial El Peruano el 25 de diciembre de 2016.
[6] Creada mediante Decreto Supremo N° 013-2017-JUS, del 22 de junio de 2017, que modifica el Reglamento de Organización y Funciones del MINJUS.
[7] Mediante Decreto Supremo N° 068-2015-RE, publicado en el diario oficial El Peruano el 5 de diciembre de 2015.
[8] Mediante Decreto Supremo N° 070-2016-RE, publicado en el diario oficial El Peruano el 7 de septiembre de 2016.
[9] Sentencia recaída en el Expediente N° 00022-2011-PI/TC, del 15 de julio de 2015.
[10] El dictamen emitido por la Comisión de Justicia y Derechos Humanos del Congreso de la Republica fue aprobado el 9 de diciembre de 2014, y sintetiza 152 proyectos de ley de reforma del Código Penal, entre los que se incluye la adecuación al Estatuto de Roma (Proyecto de Ley N° 498-2016-CR).
[11] Esta restricción estaba contenida en la Ley N° 29356, que regulaba el régimen disciplinario de la PNP. Las normas sucesivas que regularon dicha materia, el Decreto Legislativo N° 1150, de diciembre de 2012, (vigente hasta diciembre de 2016), y el Decreto Legislativo N° 1268, (publicado en el diario oficial El Peruano el 19 de diciembre de 2016, y vigente hasta la fecha), no contienen dicha tipificación.
[12] Ley publicada en el diario oficial El Peruano el 9 de octubre de 2016.
[13] La observación del PE se remitió el 2 de junio de 2017. Disponible en: http://www.leyes.congreso.gob.pe/Documentos/2016_2021/Observacion_a_la_Autografa/OBAU0131920170602.pdf.
[14] Mediante Decreto Supremo N° 001-2012-VIVIENDA, del 7 de enero de 2012, adscrito al Viceministerio de Vivienda y Urbanismo del Ministerio de Vivienda, Construcción y Saneamiento.
[15] Publicada en el diario oficial El Peruano el 20 de diciembre de 2014.
[16] Aprobado mediante Decreto Supremo N° 019-2017-PCM, publicado en el diario oficial El Peruano el 21 de febrero de 2017.
[17] Mediante la Ley N° 30394, publicada en el diario oficial El Peruano el 22 de diciembre de 2015.
[18] Mediante la Resolución Defensorial N° 007-2017/DP, del 20 de abril de 2017.
[19] Contenido en: DEFENSORÍA DEL PUEBLO. «Mecanismo nacional de prevención de la tortura y otros tratos o penas crueles, inhumanos o degradantes. Primer Informe Anual». Lima, mayo de 2017.
[20] Entre el 2012 y el 2017 se capacitó a 7,608 oficiales y suboficiales en los procedimientos de intervención durante operaciones militares y para el tratamiento especial en caso de menores de edad).
[21] Mediante Decreto Legislativo N° 1186, publicado en el diario oficial El Peruano el 16 de agosto de 2015.
[22] Aprobado mediante Decreto Supremo N° 012-2016-IN, publicado en el diario oficial El Peruano el 27 de julio de 2016.
[23] Aprobado mediante Resolución Directoral N° 962-2017-DIREED-PNP/DIREDU, del 29 de mayo de 2017.
[24] El 2013 se capacitó a 3,031, el 2014 a 4552, el 2015 a 5,560 y el año 2016 a 8,854 efectivos policiales del país.
[25] Adscrita al Ministerio de Cultura e incorporada en el Reglamento de Organización y Funciones del Ministerio de Cultura, aprobado mediante Decreto Supremo N° 005-2013-MC, publicado en el diario oficial El Peruano el 20 de junio de 2013.
[26] Declarada como Plataforma Oficial del Ministerio de Cultura mediante Resolución Ministerial N° 431-2015-MC publicada en el diario oficial El Peruano el 25 de noviembre de 2015.
[27] Desde el 2013 se han reportado a la plataforma 785 casos, 120 de ellos actos de discriminación étnico-racial probados, de los cuales 55 se dieron en espacios públicos. Los otros casos corresponden a discriminación de otro tipo, que no son competencia del Ministerio de Cultura, pero que son derivados a las instancias competentes.
[28] Mediante el Decreto Supremo N° 003-2015-MC, publicado en el diario oficial El Peruano el 28 de octubre de 2015.
[29] Se publicaron diferentes instrumentos como la Guía para comunicadores "Comunicación que no Discrimina" en el año 2014; cuatro (04) diagnósticos situacionales sobre la discriminación étnico-racial en diversos ámbitos de ocurrencia entre los años 2015 y 2017; y durante el año 2015 se realizó el Concurso Periodístico Literario "Cuenta la Historia" en el año 2015 y se elaboró y distribuyó el "Maletín de Videoteca de las Culturas" el cual contiene 84 elementos audiovisuales para promover su uso pedagógico en escuelas públicas a nivel nacional.
[30] A modo de ejemplo puede mencionarse las campañas "Playas libres de discriminación" y "Ponte alerta contra el racismo en el fútbol", en el 2014; "Ah, no eres racista, pero…", en el 2015; las guías para comunicadores "Comunicación que no discrimina", entre otras.

[31] Mediante el Decreto Supremo N° 015-2013-JUS, publicada en el diario oficial El Peruano el 6 de diciembre de 2013.
[32] La Comisión se encuentra adscrita al MINJUS y está integrada por ocho ministerios.
[33] Mediante Resolución Defensorial N° 010-2016-DP, publicada en el diario oficial El Peruano el 31 de agosto de 2016.
[34] Proyecto de Ley N° 718/2016-CR.
[35] Ministerio de Justicia y Derechos Humanos. «Opinión sobre el Proyecto de Ley N° 2647/2013-CR, que establece la unión civil no matrimonial para personas del mismo sexo.» Disponible en http://www2.congreso.gob.pe/sicr/cendocbib/con4_uibd.nsf/24F403AE5D6E527605257CFC0076AC23/$FILE/doc27032014-140153.pdf.
[36] Proyecto de Ley N° 790/2016-CR.
[37] Proyecto de Ley N° 961/2016-CR.
[38] Proyecto de Ley N° 1378/2016-CR.
[39] Creada mediante Resolución Ministerial N° 099-2016-MIMP, publicada en el diario oficial El Peruano el 22 de abril de 2016.
[40] Creada a través de la Resolución Ministerial N° 294-2016-MIMP, publicada en el diario oficial El Peruano el 7 de noviembre de 2016.
[41] Mediante Ley N° 28592, publicada en el diario oficial El Peruano el 20 de julio de 2005 en el diario oficial El Peruano.
[42] A través del Decreto Supremo N° 008-2016-MIMP, publicado en el diario oficial El Peruano el 26 de julio de 2016.
[43] Aprobado mediante Resolución Ministerial N° 351-2016-MINEDU, publicado en el diario oficial El Peruano el 28 de julio de 2016.
[44] Aprobado mediante Resolución Ministerial N° 0095-2017-JUS, publicado en el diario oficial El Peruano el 27 de abril de 2017.
[45] Diario Perú 21. Ministra de Justicia pidió perdón a nombre del Estado a víctimas de la violencia e iniciará registro de personas desaparecidas, publicado el 26 de agosto de 2016. Disponible en: http://peru21.pe/politica/cvr-se-cumplen-13-anos-entrega-informe-final-sobre-violencia-pais-2255608.
[46] De conformidad con la Ley N° 28592, publicada en el diario oficial El Peruano el 29 de julio de 2005.
[47] A través del Organismo de Formalización de la Propiedad Informal (COFOPRI), a la fecha se ha titulado 21,814 y atendido con el otorgamiento del Bono Familiar Habitacional del Programa Techo Propio a 2,760 beneficiarios.
[48] Ayacucho, Junín, Huánuco, Apurímac y Huancavelica.
[49] Aprobado por Decreto Supremo N° 012-2016-IN, del 27 de julio de 2016.
[50] Aprobada mediante Decreto Legislativo N° 1267, del 16 de diciembre de 2016.
[51] Artículo 3, numeral 8 del Decreto Legislativo N° 1267.
[52] Ministerio del Interior. Pronunciamiento del Ministro del Interior sobre los sucesos ocurridos en la carretera Las Bambas, publicado el 16 de octubre de 2016. Disponible en: https://www.mininter.gob.pe/content/pronunciamiento-del-ministro-del-interior-sobre-los-sucesos-ocurridos-en-la-carretera-las.
[53] Publicado en el diario oficial El Peruano el 6 de enero de 2017.
[54] Cuando el agente es ascendiente o descendiente por consanguinidad, adopción o por afinidad, pariente colateral hasta el cuarto grado por consanguinidad, adopción o segundo grado de afinidad, cuando la explotación es un medio de subsistencia del agente, cuando existe pluralidad de víctimas, la víctima tiene discapacidad, es menor de catorce años, adulta mayor, padece de una enfermedad grave, se produzca una lesión grave, pertenezca a un pueblo indígena o presente cualquier situación de vulnerabilidad, se derive de una situación de trata de personas.
[55] A través del Decreto Supremo N° 006-2015-JUS, que declara de interés nacional la atención prioritaria de víctimas de esterilizaciones forzadas producidas entre 1995-2001 y crea el registro correspondiente, publicada en el diario oficial El Peruano el 6 de noviembre de 2015.
[56] Así, en el 2016 se capacitó a 1,201 funcionarios a nivel nacional. Asimismo, entre el 2012 y el 2016 se ha capacitado a 4,593 funcionarios.
[57] National Prison Institute. Oficio N° 025-2016-INPE/14, del 8 de enero de 2016.
[58] National Prison Institute. Oficio N° 377-2017-INPE/4, del 8 de enero de 2016.
[59] Publicado en el diario oficial El Peruano el 6 de enero de 2017.
[60] Decreto Legislativo N° 957. Código Procesal Penal. Publicado en el diario oficial El Peruano el 29 de julio de 2004. Específicamente se modificó para este fin el artículo 290 del citado código.
[61] Mediante Decreto Supremo N° 001-2016-IN, publicado en el diario oficial El Peruano el 9 de febrero de 2016.
[62] Publicada en el diario oficial El Peruano el 16 de enero de 2007.
[63] Esta comisión se encuentra conformada por el MININTER, que la preside, el MIMP, MINSA, MINJUS, MINEDU, MINTRA, MRREE, MINCETUR, INEI, Poder Judicial, Ministerio Público y

Defensoría del Pueblo, y, contempla la participación de la sociedad civil, de órganos y organismos internacionales e instituciones especializadas.

64 Creada mediante Resolución Directoral N° 665-2014-DIRGEN/EMG-PNP, del 19 de julio de 2014. Mediante la Resolución Directoral N° 665-2014-DIRGEN/EMG-PNP, del 19 de julio de 2014, se eleva de categoría a la Dirección de Investigación de Trata de Personas y Tráfico Ilícito de Migrantes — DIRINTRAP PNP, perteneciente a la Dirección Ejecutiva de Investigación Criminal y Apoyo a la Justicia — PNP, estableciéndose en el tercer párrafo de los considerandos, que ésta se constituye como órgano especializado y sistémico con competencias funcionales a nivel nacional para investigar, denunciar y combatir los delitos de Trata de personas y Tráfico Ilícito de Migrantes y delitos conexos.

65 Hasta la fecha son 26 en 22 regiones del país, estando pendiente su creación en dos regiones, Amazonas y Ucayali.

66 En Lima (creada el 29 de septiembre de 2014 mediante la Resolución 4050-2014-MP-FN), en el Callao, Cusco, Loreto, Puno, Tacna y Tumbes (creadas el 1 de septiembre de 2015, mediante la Resolución de Junta de Fiscales Supremos N° 124-2015-MP-FN-JFS). Asimismo, se ha designado un fiscal coordinador nacional y fiscales coordinadores a nivel nacional, para la implementación del Protocolo de asistencia y protección a víctimas de trata de personas del Ministerio Público.

67 Creada el 1 de octubre de 2014, mediante Resolución de Fiscalía de la Nación N° 4126-2014-MP-FN.

68 Aprobado mediante el Decreto Supremo N° 017-2017-IN, publicado en el diario oficial El Peruano el 8 de junio de 2017.

69 Mediante Decreto Supremo N° 005-2016-IN, publicado en el diario oficial El Peruano el 12 de mayo de 2016.

70 Mediante Resolución Ministerial N° 157-2015-MIDIS, del 16 de julio de 2015.

71 De acuerdo con cifras del Ministerio de Economía y Finanzas pasó de S/ 328,855 en el 2012 a S/ 5 360,436 en el 2017.

72 Mediante Decreto Supremo N° 004-2013-TR, publicado en el diario oficial El Peruano el 9 de junio de 2013.

73 Información obtenida de la Encuesta Nacional de Programas Presupuestales 2016 del Instituto Nacional de Estadística e Informática (INEI). El Registro Nacional de Estadística e Informática (RENIEC), es la entidad encargada de mantener actualizado el Registro único de identificación de las personas naturales.

74 Una de las medidas adoptadas por RENIEC se da a través de la Gerencia de restitución a la identidad y apoyo social (GRIAS), que participan en la Plataforma Itinerante de Acción Social (PIAS).

75 Aprobada mediante Decreto Supremo N° 003-2015-MC, del 28 de octubre de 2015. Cabe precisar que se encuentra reglamentado la participación de por lo menos una representante mujer por cada macro-región del país donde existe población indígena o afroperuana, respectivamente.

76 Mediante la Resolución Ministerial N° 403-2014-MC publicada en el diario oficial El Peruano el 07 de noviembre del 2014 se conforma el Grupo de Trabajo de naturaleza permanente, encargado de coordinar, proponer y dar seguimiento a las políticas públicas que involucran a los pueblos indígenas y/o requieren un enfoque de interculturalidad, de manera participativa, entre representantes del Viceministerio de Interculturalidad y los pueblos indígenas a través de sus organizaciones nacionales representativas.

77 Mediante Resolución Ministerial N° 476-2016-MC, publicada en el diario oficial El Peruano el 16 de diciembre de 2016.

78 A través del Decreto Supremo N° 003-2016-MC, del 14 de julio de 2016.

79 Mediante Decreto Supremo N° 016-2016-SA, publicado en el diario oficial El Peruano el 2 de abril de 2016.

80 Aprobada por Resolución Ministerial N° 518-2016/MINSA, publicada en el diario oficial El Peruano el 25 de julio de 2016.

81 Norma técnica de salud N° 129-MINSA/2016/DGIESP.

82 Aprobado por Resolución Ministerial N° 281-2016-MINEDU, publicada en el diario oficial El Peruano el 3 de junio de 2016.

83 Aprobada mediante Decreto Supremo N° 006-2016-MINEDU, publicado en el diario oficial El Peruano el 9 de Julio de 2016.

84 Mediante Resolución Administrativa N° 333-2013-CE-PJ.

85 Aprobadas por la Comisión Interministerial de Asuntos Sociales (CIAS) en su sesión del 12 de octubre de 2016.

86 Mediante el Decreto Supremo N° 008-2013-MIDIS, publicado en el diario oficial El Peruano el 26 de abril de 2013.

87 Cabe señalar que el Ministerio de Desarrollo e Inclusión Social (MIDIS) es el ente rector de la Política nacional de desarrollo e inclusión social (PNDS), de conformidad con la Ley N° 29792 de octubre de 2011.

88 A través del Decreto Supremo N° 003-2016-MIDIS se aprobó la Estrategia de Acción Social con Sostenibilidad y se estableció que esta constituye la Política Nacional de Desarrollo e Inclusión Social

(PNDIS).

[89] Aprobada por Decreto Supremo N° 003-2016-MIDIS, publicado en el diario oficial El Peruano el 15 de mayo de 2016.

[90] De S/ 200, aproximadamente US$ 60.00.

[91] Ley N° 29785, publicada en el diario oficial El Peruano el 7 de septiembre de 2011.

[92] Mediante Decreto Supremo N° 001-2012-MC, publicado en el diario oficial El Peruano el 3 de abril de 2012.

[93] Directiva N° 001-2016-VMI/MC, aprobada mediante Resolución Ministerial N° 013-2016-VMI-MC, del 27 de mayo de 2016.

[94] De conformidad con la Decimoquinta disposición Complementaria, Transitoria y Final del reglamento de la Ley.

[95] Mediante Decreto Supremo N° 021-2013-PCM, publicado en el diario oficial El Peruano el 26 de febrero de 2013.

[96] Se realizaron 75 talleres de capacitación y 165 reuniones de trabajo a las cuales asistieron en total 4,116 personas entre líderes, lideresas indígenas, funcionarios y funcionarias.

[97] Las regiones son Ancash, Apurímac, Cusco, Loreto, Madre de Dios, Ucayali.

[98] Ubicadas en Ancash, Apurímac y Cusco.

[99] Ucayali, Ancash, Ayacucho, Apurímac y Cusco.

[100] Sobre la propuesta de categorización de la Zona Reservada Yaguas y sobre el proceso de exploración minera Panteria, en los departamentos de Loreto y Huancavelica, respectivamente.

[101] Resolución Viceministerial N° 001-2012-VMI/MC, publicada en el diario oficial El Peruano el 24 de agosto de 2012.

[102] Resolución Ministerial N° 375-2012-MC, publicada en el diario oficial El Peruano el 11 de octubre de 2012.

[103] Resolución Ministerial 202-2012-MC, del 22 de mayo de 2012, que aprueba la Directiva N° 03-2012-MC.

[104] Resolución Viceministerial N° 004-2013-VMI-MC, del 19 de junio de 2013.

[105] Aprobado mediante Decreto Supremo N° 008-2007-MIMDES.

[106] Tarea que estuvo a cargo de la Dirección General de Pueblos Indígenas del Ministerio de Cultura.

[107] A través de la Resolución Ministerial N° 171-2013-MC, del 17 de junio de 2013.

[108] Mediante la Directiva N° 001-2014-VMI/MC.

[109] Directiva N° 002-2014-VMI-MC, aprobada mediante Resolución Viceministerial N° 005-2014-VMI-MC, del 11 de marzo de 2014.

[110] Directiva N° 003-2014-VMI/MC, del 3 de abril de 2014.

[111] Mediante Resolución Ministerial N° 403-2014-MC, publicado en el diario oficial El Peruano el 7 de noviembre de 2014.

[112] Aprobada mediante Resolución Ministerial N° 0246-2012-ED, publicada en el diario oficial El Peruano el 5 de julio de 2012.

[113] Mediante el Decreto Supremo N° 006-2016-MC, publicado en el diario oficial El Peruano el 23 de julio de 2016.

[114] A través del Programa Nacional de Becas y Crédito Educativo (PRONABEC), adscrito al MINEDU.

[115] El correspondiente al 2014 fue aprobado por Resolución Ministerial N° 221-2013-TR; el del 2015, por Resolución Ministerial N° 052-2014-TR, y el del 2016-2017 por Resolución Ministerial N° 066-2016-TR, todos a cargo del MTPE.

[116] Dirigida por el Viceministerio de Trabajo y conformada por las unidades orgánicas competentes del MINTRA y por representantes de las organizaciones sindicales de trabajadoras y trabajadores del hogar.

[117] Mediante Resolución de la Superintendencia Nacional de Fiscalización Laboral N° 113-2017-SUNAFIL, del 8 de junio de 2017.

[118] Aprobada por Resolución Ministerial N° 652-2016/MINSA, publicada en el diario oficial El Peruano el 31 de agosto de 2016.

[119] Según la Encuenta Demográfica y de Salud Familiar (ENDES) 2016.

[120] Aprobada por Resolución Ministerial N° 007-2017/MINSA, publicada en el diario oficial El Peruano el 12 de enero de 2017.

[121] Según consta en el Capítulo II, Aborto, artículo 119 del Código Penal peruano.

[122] Resolución Ministerial N° 486-2014/MINSA, publicada en el diario oficial El Peruano el 28 de junio de 2014.

[123] En el 2013, el reglamento de la Ley N° 29600, Ley que Fomenta la Reinserción Escolar por Embarazo, con el objetivo evitar la deserción escolar de las adolescentes gestantes; la Guía para tutores. Propuesta para la formación de docentes en Educación Sexual Integral. 2da Edición. Documento normativo y pedagógico del Ministerio de Educación que postula elementos conceptuales, enfoques y principios básicos para abordar el tema de la sexualidad en el ámbito educativo. En el 2014, la Guía con sesiones de Educación Sexual Integral para el nivel de educación

secundaria, disponible en la pagina web de tutoria: http://tutoria.minedu.gob.pe/. En el 2016 se realizaron conferencias y cursos virtuales con el apoyo del MINSA y la UNESCO, dirigidas a capacitar a docentes tutores de educacion secundaria.

124 De acuerdo con el Ministerio de Economia y Finanzas (MEF), paso de S/ 18,438,252,998 (mas de US$ 6,000,000,000) en el 2012 a S/ 78,751,236,248 (mas de US$ 9,000,000,000 en el 2017).

125 Direcciones regionales de educacion y Unidades de gestion educativa local.

126 Norma Tecnica aprobada mediante la Resolucion de Secretaria General N° 063-2015-MINEDU, publicada en el diario oficial El Peruano el 28 de enero de 2015.

127 Poblacion de entre 15 y 24 años que ni estudian ni trabajan.

128 Aprobado mediante Resolucion de Secretaria General N° 008-2016-MINEDU, publicada en el diario oficial El Peruano el 12 de enero de 2016.

129 Segun cifras del Censo Escolar 2016 y el padron de instituciones educativas EIB.

130 Pasando de S/ 9,044,430 a S/ 16,739,868.

131 Las lenguas atendidas son aimara, asháninka, awajun, quechua chanka, quellua collao, quechua central, harakbut, jaqaru, kandozi-chapra, kichwa, matsés, matsigenka, yine, yanesha, nomatsigenga, wampis, aimara, jaquaru, achuar, kakataibo y urarina.

132 Mediante Resolucion de Secretaria General N° 040-2016-MINEDU.

133 Un total de 243 CEBE, 10 centros de recursos y 37 PRITE, asi como 4,751 textos escolares en el sistema braile que beneficiaron a 795 estudiantes con ceguera y sordoceguera a nivel nacional; kits para 805 estudiantes con ceguera y sordoceguera a nivel nacional.

134 El Instituto Nacional Penitenciario (INPE), en coordinacion con el Ministerio de Educación, la Biblioteca Nacional y otras instituciones educativas publicas y privadas nacionales e internacionales. Asimismo se implementan directivas y manuales de procesos (MAPROS) desde el año 2016, plasmandose en una Directiva denominada "Gestion y desarrollo de la educación penitenciaria"— Directiva N° 11-2016-inpe con 12 Manuelas de Procedimientos, disponible en: https://goo.gl/3ezBFe.

135 Aprobado mediante el Decreto Supremo N° 004-2012-MIMP, publicado en el diario oficial El Peruano el 18 de agosto de 2012.

136 Mediante el Decreto Supremo N° 005-2015-MIMP, publicado en el diario oficial El Peruano el 12 de agosto de 2015.

137 Publicada en el diario oficial El Peruano el 3 de enero de 2012.

138 Publicado en el diario oficial El Peruano el 3 de enero de 2017.

139 Publicada en el diario oficial El Peruano el 17 de abril de 2013.

140 Curriculo Nacional, pag. 26.

141 Creado mediante el Decreto Supremo N° 008-2001-PROMUDEH, del 24 de abril de 2001, adscrito al PROMUDEH, hoy MIMP.

142 Publicada en el diario oficial El Peruano el 23 de noviembre de 2015.

143 Aprobado mediante el Decreto Supremo N° 009-2016-MIMP, publicado en el diario oficial El Peruano el 27 de julio de 2016.

144 Aprobado mediante el Decreto Supremo N° 006-2015-MIMP, publicado en el diario oficial El Peruano el 15 de octubre de 2015.

145 Aprobado mediante el Decreto Supremo N° 008-2016-MIMP, publicado en el diario oficial El Peruano el 26 de julio de 2016.

146 Aprobado mediante el Decreto Supremo N° 005-2016-IN, publicado en el diario oficial El Peruano el 12 de mayo de 2016.

147 Disponibles en http://www.mimp.gob.pe/files/programas_nacionales/pncvfs/procesos/lineamientos_acc_prev_cem.pdf.

148 Aprobada mediante Resolución Directoral N° 034-2016-MIMP-FNCVFS-DE, del 22 de julio de 2016.

149 Aprobado mediante Decreto Supremo N° 06-2015-MIMP, publicado en el diario oficial El Peruano el 15 de octubre de 2015.

150 Mediante Resolución Ministerial N° 273-2012-MIMP, publicada en el diario oficial El Peruano el 14 de octubre de 2012.

151 Mediante Decreto Supremo N° 005-2012-MIM, publicado en el diario oficial El Peruano el 6 de septiembre de 2012. Cabe señalar que de acuerdo con el Decreto Supremo N° 002-2017-MIMP, se ha dispuesto la fusión por absorción de este Programa y el programa Vida Digna al Programa Integral Nacional para el Bienestar Familiar (INABIF).

152 Ley N° 30403, publicada en el diario El Peruano el 30 de diciembre de 2015, que deroga el inciso d) del articulo 74 del Código de Niñas, Niños y Adolescentes, que reconocia el derecho de los padres a "d) Darles buenos ejemplos de vida y corregirlos moderadamente. Cuando su acción no bastare podrán recurrir a la autoridad competente".

153 Articulo 48.

154 Aprobada mediante Decreto Supremo N° 003-2010-MIMP, publicado en el diario El Peruano el 20 de abril de 2010.

[155] Actualmente, una UIT (Unidad Impositiva Tributaria) equivale a S/ 4.050, aproximadamente US$ 1.227.
[156] Mediante Resolucion de Superintendencia N° 114-2017-SUNAFIL, publicada en el diario oficial El Peruano el 13 de junio de 2017.
[157] Disponible en https://www.mef.gob.pe/prensa/noticias/alrededor-de-2-millones-de-ninas-ninos-y-adolescentes-trabajan-en-el-pais-9394/
[158] Publicada en el diario oficial El Peruano el 24 de diciembre de 2012.
[159] Articulo 45 del Reglamento de Organizacion y Funciones, aprobado mediante el Decreto Supremo N° 002-2016-MIMP, publicado en el diario oficial El Peruano el 11 de febrero de 2016.
[160] Publicada en el diario oficial El Peruano el 23 de junio de 2012.
[161] Publicada en el diario oficial El Peruano el 6 de febrero de 2013.
[162] Publicada en el diario oficial El Peruano el 17 de abril de 2013.
[163] Publicada en el diario oficial El Peruano el 2 de diciembre de 2013.
[164] Publicada en el diario oficial El Peruano el 7 de enero de 2014.
[165] Publicada en el diario oficial El Peruano el 13 de noviembre de 2015.
[166] Publicada en el diario oficial El Peruano el 13 de enero de 2016.
[167] Publicada en el diario oficial El Peruano el 10 de agosto de 2016.
[168] Publicado en el diario oficial El Peruano el 10 de noviembre de 2016.

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Compilation on Peru

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of the information contained in the reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1-2]

2. The Committee against Torture invited Peru to consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.[3]

3. The Committee on the Elimination of Discrimination against Women recommended that Peru establish effective mechanisms to monitor compliance with existing legislation and relevant conventions of the International Labour Organization (ILO) that it had ratified, including the Forced Labour Convention, 1930 (No. 29), the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Workers with Family Responsibilities Convention, 1981 (No. 156).[4]

4. Three Committees and the Working Group on the issue of discrimination against women in law and in practice urged Peru to speed up the ratification of the ILO Domestic Workers Convention, 2011 (No. 189).[5]

5. The Committee on the Elimination of Racial Discrimination encouraged Peru to consider acceding to the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance of 2013.[6]

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6. The United Nations country team welcomed the ratification of various instruments, but noted that Peru had still not complied with the relevant recommendations of the second cycle of the universal periodic review.[7]

7. The Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for South America helped to enhance the capacity of government officials and parliamentarians to follow-up on recommendations from the universal periodic review and other human rights mechanisms, and encouraged the exchange of good practices regarding online follow-up databases.[8]

8. Peru has contributed financially to OHCHR since 2012, including to the United Nations Voluntary Fund for Indigenous Peoples and the United Nations Voluntary Fund for the Victims of Torture.[9]

III. National human rights framework[10]

9. The Committee on the Elimination of Racial Discrimination took note of the creation of the National Commission against Discrimination, but was concerned at the lack of precise information on the resources allocated to the Commission and on its functions. The Committee regretted that the National Institute for the Development of Andean, Amazonian and Afro-Peruvian Peoples had been merged with the Ministry of Culture.[11]

10. The Working Group on Enforced or Involuntary Disappearances noted that Peru had adopted the National Human Rights Plan 2014-2016, along with other plans, such as the national plan for education on fundamental rights and responsibilities.[12]

11. The country team said that the proposed database and platform for the follow-up of recommendations was a positive step, although they were still in the testing phase and not yet publicly accessible.[13] It also noted that the National Human Rights Plan 2012-2016 included recommendations from the universal periodic review, but excluded lesbian, gay, bisexual, transgender and intersex (LGBTI) persons. It added that there continued to be challenges with the coordination, implementation, monitoring and evaluation of other plans.[14]

12. In 2017, the OHCHR Regional Office for South America noted that Peru must ensure the proper functioning of the Office of the Ombudsman.[15]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[16]

13. The country team indicated that 81 per cent of the population considered that discrimination was an everyday occurrence; it welcomed the establishment of the National Commission against Discrimination and the Racism Alert platform as well as the passing of Legislative Decree No. 1323.[17]

14. The Committee on the Rights of the Child was concerned at the prevalence of structural discrimination against certain groups of children, including indigenous, Afro-Peruvian children, children living in rural areas, lesbian, gay, bisexual, transgender and intersex children and children with disabilities, particularly regarding their access to education and health care.[18]

15. Two Committees were concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes against women and children.[19] Similar concerns were raised by the United Nations country team.[20]

16. Two Committees were concerned that indigenous peoples and Afro-descendants continued to be victims of discrimination and that indigenous and Afro-Peruvian women continued to encounter discrimination in education, employment and health.[21]

17. Two Committees were concerned at the absence of legislation explicitly prohibiting discrimination based on sexual orientation or gender identity, and recommended that Peru explicitly prohibit discrimination on those grounds.[22] The country team recommended the promotion of information campaigns to prevent discrimination and homophobic and transphobic violence.[23]

18. The Committee on the Elimination of Racial Discrimination was concerned that refugees and asylum seekers continued to face racial discrimination, impeding the exercise of their rights to health and employment.[24]

2. Development, the environment, and business and human rights[25]

19. The Committee on the Elimination of Racial Discrimination was concerned that concessions for the extraction of natural resources continued to infringe on the rights of indigenous peoples over their lands, including waters, and generated environmental problems. It was also concerned at the lack of effective implementation of the measures adopted to mitigate environmental impacts.[26]

20. The Committee on the Rights of the Child expressed concern at the impact of mining and hydroelectric projects on the living conditions of children in regions such as La Oroya, Cerro de Pasco and Cajamarca, and with respect to health hazards and environmental degradation. The Committee was also concerned that environmental impact assessments were not always carried out prior to granting licences to companies.[27]

21. The Committee on the Elimination of Discrimination against Women was concerned about major constraints faced by rural women and the differentiated gender impact of climate change and recurring natural disasters, including severe drought, landslides and earthquakes.[28]

22. The country team said that Peru was vulnerable to climate change and the risk of natural disasters such as the El Niño phenomenon in 2017, which had had a serious impact on people and infrastructure.[29]

23. The country team noted that there was no State strategy for the implementation of the Guiding Principles on Business and Human Rights and recommended incorporating one in the National Human Rights Plan, with intersectoral participation.[30] In July 2017, the Working Group on the issue of human rights and transnational corporations and other business enterprises had called for a new vision of the conflictual situation in relation to businesses and encouraged the development of a national plan of action on business and human rights.[31]

3. Human rights and counter-terrorism

24. The Human Rights Committee was concerned at the broad definition of "hostile group" provided for in Legislative Decrees No. 1094 and No. 1095, which could potentially be interpreted to include social movements.[32]

B. Civil and political rights

1. Right to life, liberty and security of person[33]

25. Two Committees noted with concern allegations of serious human rights violations during states of emergency, such as arbitrary detention, killings and torture, and reports of excessive use of force, including the use of lethal weapons, by law enforcement officials and members of the security forces in the context of social protests.[34] The Committee against Torture was concerned at the promulgation of Legislative Decree No. 1095 allowing military courts to decide on cases of excessive use of force and human rights violations during states of emergency.[35]

26. The same Committee was concerned at reports of harassment and violent attacks, some of which had resulted in death, against the lesbian, gay, bisexual and transgender community by members of the national police, armed forces, municipal security patrols and prison officials.[36]

27. The country team noted that Legislative Decree No. 1186 regulated the use of force by members of the National Police of Peru; it recommended the application of standards on the use of force, the training of police officers and the investigation of reported cases.[37]

28. In several instances since 2014, the OHCHR Regional Office for South America expressed concern at the excessive use of force by the Peruvian police in response to social protests.[38]

29. The Committee against Torture was concerned that the fundamental legal safeguards for persons detained by the police were not always respected and regretted the absence of a specific registry for cases of torture and cruel, inhuman or degrading treatment and punishment.[39]

30. The country team welcomed the adoption of the Act and National Plan on the Search for Disappeared Persons but noted that victims of sexual violence had not been included in the Comprehensive Reparations Plan.[40]

31. The country team welcomed the establishment of the national mechanism for the prevention of torture in the Office of the Ombudsman, although it was concerned that it was not yet operational.[41]

32. The Human Rights Committee was concerned about the level of overcrowding in places of detention, particularly in Yanamayo and Challapalca prisons.[42] The Committee against Torture was concerned at information about the conditions in detention centres, including overcrowding at 114 per cent.[43]

33. The country team reported that overcrowding continued to be one of the main problems in the prison system, together with problems in the areas of health care, security and reintegration of prisoners. It noted that prison personnel had received insufficient training on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules) and the Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), as had been acknowledged by the Government.[44]

34. The Committee on the Rights of the Child was concerned that conditions in residential care centres were not always adequate, and at reports of deprivation of food and suppression of family visits being used as punishments.[45]

2. Administration of justice, including impunity, and the rule of law[46]

35. The Committee against Torture was concerned that some 60 per cent of all detainees were in pretrial detention, which contributed to the overcrowding in detention centres.[47] The country team said that pretrial detention continued to be applied as a matter of course rather than as an exceptional measure.[48]

36. The Committee on the Elimination of Discrimination against Women was concerned about the barriers preventing women's access to justice, including discrimination, gender insensitivity and linguistic and economic barriers, which were faced mainly by women living in poverty and in rural areas, and by indigenous and Afro-Peruvian women.[49] The Working Group on the issue of discrimination against women in law and in practice raised similar concerns.[50]

37. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families was concerned that migrant workers had limited access to justice owing to ignorance of the administrative and judicial remedies to which they were entitled.[51]

38. The country team welcomed the National Justice Agreement and the National Plan on Access to Justice for Vulnerable Persons 2016-2021, although it noted that economic, physical, geographical and cultural barriers remained, as well as a perception of corruption

in the judiciary.[52] The Working Group on the issue of discrimination against women in law and in practice noted a shortage of women at the highest levels of the judicial system.[53]

39. The Working Group on Enforced or Involuntary Disappearances appreciated the establishment of a subsystem of criminal justice to deal with human rights violations.[54] The Committee on the Rights of the Child urged Peru to fight corruption and impunity at all levels of the criminal justice system.[55]

40. The Working Group on Enforced or Involuntary Disappearances recognized that some significant steps had been taken to secure truth, justice and reparation, such as the work of the Truth and Reconciliation Commission, exhumations and monetary, educational and health reparations.[56] It noted that the challenges included the fact that few judicial proceedings had been completed, the absence of a genetic databank and the lack of comprehensive psychosocial care for victims of enforced disappearances.[57]

41. The Committee against Torture was concerned at the underreporting of cases of sexual violence against women during the armed conflict, the limited number of investigations, the absence of sentences and the lack of effective redress to victims of sexual violence.[58] The Human Rights Committee raised similar concerns.[59]

42. The Committee on the Elimination of Racial Discrimination was concerned about delays in the implementation of the Comprehensive Collective Reparations Plan, particularly with regard to indigenous peoples who had been victims of the armed conflict.[60] The Committee on the Rights of the Child expressed similar concerns.[61]

43. Two Committees noted that cases of forced sterilizations undertaken in the context of the National Programme on Reproductive Health and Family Planning 1996-2000 had not been effectively investigated and that the victims had received no compensation.[62]

3. Fundamental freedoms and the right to participate in public and political life[63]

44. Two Committees were concerned at reports of physical attacks and arrests of journalists and human rights defenders, especially those who defended the rights of communities, including children, affected by mining and hydroelectric projects.[64] The country team noted that the protocol for the protection of defenders announced by the Ministry of Justice and Human Rights had not yet been adopted.[65]

45. The Human Rights Committee was concerned that women were underrepresented in decision-making positions in the public sector.[66] The Committee on the Elimination of Discrimination against Women was concerned that parliamentary representation of women had decreased, that existing electoral gender quotas in regional and municipal elections were often not met,[67] and that women politicians experienced harassment by peers or the authorities.[68]

46. The same Committee recommended that Peru use temporary special measures aimed at accelerating equality in all areas in which women were underrepresented or disadvantaged.[69] The country team recommended launching a debate on parity democracy, with a view to achieving full parity in Peru by 2030.[70]

47. The Working Group on the issue of discrimination against women in law and in practice noted that Peru had made significant efforts in terms of the political participation of women, which had increased as a result of legislation introducing gender quotas. However, the quotas had not managed to remedy a situation in which women lagged behind.[71]

48. The Human Rights Committee was concerned that defamation remained a crime under national law, which represented a threat to the exercise of freedom of expression.[72]

4. Prohibition of all forms of slavery[73]

49. Three Committees were concerned at the extensive prevalence of child labour, particularly in rural areas, with a high percentage of children involved in the worst forms of child labour, including mining, agricultural work, logging, brick-making, domestic work and garbage dump work, and in illicit activities.[74] The Committee on the Elimination of

Racial Discrimination raised concerns about indigenous peoples who were deceived into engaging in forced labour practices and servitude in the forestry and mining sectors.[75]

50. The Committee on the Elimination of Discrimination against Women was concerned about trafficking in adolescent girls for sexual or labour exploitation, particularly in the mining and logging industries.[76] The Committee on the Rights of the Child welcomed the introduction of the criminal offence of child sex tourism in Peruvian legislation.[77]

51. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that Peru continue its efforts to combat trafficking in persons and investigate, prosecute and punish the persons and groups involved.[78] The ILO Committee of Experts on the Application on Conventions and Recommendations noted that Peru had a passive attitude towards the prosecution of cases involving trafficking of children.[79]

52. The country team said that the criminal offence of trafficking in persons had been adapted and that the adoption of the second National Plan to Combat Forced Labour 2013-2017 and the recent criminalization of forced labour were positive steps.[80]

5. Right to privacy and family life[81]

53. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families was concerned that Peru did not provide for family reunification in legislation on migration, particularly regarding residence permits for spouses in the event of death.[82]

54. Three Committees were concerned that a significant number of indigenous children, women and girls continued to face difficulty in gaining access to the birth register and obtaining identity documents, particularly in the indigenous communities of the Amazonian and Andean regions.[83]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[84]

55. The Committee on the Elimination of Discrimination against Women was concerned about inequalities in the labour market, the gender wage gap, poor working conditions and the lack of social protection for women employed in the informal sector, especially outside Lima and in rural areas.[85] The Working Group on the issue of discrimination against women in law and in practice raised similar concerns.[86]

56. The ILO Committee of Experts stressed that wage differentials remained one of the most persistent forms of inequality between women and men.[87]

57. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that Peru guarantee that migrant workers in an irregular situation were able to exercise their trade union rights.[88]

58. The country team noted the high level of underemployment and informal employment, which had reached 73.2 per cent in 2015. It acknowledged that the Ministry of Labour and Job Creation's strategy for employment formalization was a step forward, but stressed that it should include other sectors. It reported that ratification of the International Labour Organization Domestic Workers Convention, 2011 (No. 189) continued to present a challenge.[89]

2. Right to social security

59. The country team noted that 40 per cent of domestic workers did not have health insurance and 87.4 per cent did not belong to a pension scheme.[90]

3. Right to an adequate standard of living[91]

60. The country team noted that, although the proportion of the population living below the poverty line had decreased, inequalities remained, despite targeted social programmes.[92]

61. The Committee on the Rights of the Child remained concerned that, despite improvements, child poverty was widespread.[93] The Committee on the Elimination of Racial Discrimination noted with concern that members of indigenous peoples and Afro-Peruvians continued to be subjected to structural discrimination and were constantly faced with a lack of economic opportunities, poverty and exclusion.[94]

62. The Committee on the Elimination of Discrimination against Women was concerned about the lack of a gender dimension in land ownership and the fact that women were affected by land and resource acquisition by multinational corporations.[95] The Working Group on the issue of discrimination against women in law and in practice had similar concerns with regard to women in rural areas.[96]

63. The same Working Group noted that women continued to face numerous obstacles that prevented them from fulfilling their economic potential.[97]

64. The country team noted that 5.2 million Peruvians remained in a situation of high food insecurity because of recurring natural phenomena; it recommended adopting legislation on food and nutritional security and adopting regulations on the Healthy Food Act.[98]

65. The country team reported that access to basic housing services had gradually increased, but 46.6 per cent of the urban population lived in slums, informal settlements or inadequate housing.[99]

4. Right to health[100]

66. The country team indicated that 72.3 per cent of the population had some form of health insurance cover.[101] The Committee on the Rights of the Child welcomed the progress made by Peru in reducing child mortality and chronic malnutrition, but was concerned at disparities between urban and rural areas and regarding indigenous children and children living in poverty.[102]

67. The Committee on the Rights of the Child was concerned about the high rate of teenage pregnancy, the lack of access by adolescents to sexual and reproductive health services, and the high rate of suicide and depression among adolescents.[103]

68. The Working Group on the issue of discrimination against women in law and in practice welcomed the adoption of the national technical manual on the harmonization of comprehensive care procedures for women undergoing a voluntary therapeutic termination of pregnancy.[104]

69. The same Working Group and the Committee on the Elimination of Discrimination against Women expressed concern at the restrictive abortion laws,[105] and recommended that Peru extend the grounds for legalization of abortion to cases of rape, incest and severe fetal impairment, and ensure the availability of abortion services and access to high-quality post-abortion care.[106] Three Committees and the country team made similar recommendations.[107]

70. The Committee on the Rights of the Child was concerned that only about 50 per cent of children infected with HIV received antiretroviral treatment. It was also concerned at the increasing rate of infection among indigenous children and the limited provision of appropriate health-care services for HIV-infected pregnant women.[108] The country team added that persons living with HIV continued to have limited access to sexual and reproductive health services.[109]

71. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that Peru adopt specific and effective measures to ensure access to health care for all migrant workers.[110] The Committee on the Elimination of Discrimination against Women was concerned about the linguistic, cultural and economic barriers faced by indigenous women in gaining access to health services.[111]

72. The country team reported on the situation of persons with neuropsychiatric conditions and recommended expediting the implementation of Act No. 29889 to establish community mental health centres and sheltered accommodation throughout the country.[112]

5. Right to education[113]

73. The country team noted that, despite progress made in primary education, almost 383,000 children under the age of 12 were outside the education system and more than 643,000 were at risk of dropping out. It expressed concern at the lack of teachers trained in bilingual intercultural education and inclusive education.[114]

74. The United Nations Educational, Scientific and Cultural Organization (UNESCO) stated that through the National Education Project 2021, Peru had made great efforts to improve the education system.[115] UNESCO noted that the creation of the National Programme for Educational Infrastructure was an outstanding initiative.[116]

75. The country team noted as a positive development the national basic education curriculum, which had incorporated a rights and gender-based approach in schools.[117]

76. Two Committees were concerned about lower enrolment and completion rates, difficulties in accessing quality and bilingual education and high illiteracy rates among children living in rural areas, indigenous peoples and Afro-Peruvians.[118] The Committee on the Elimination of Racial Discrimination,[119] the Working Group on the issue of discrimination against women in law and in practice[120] and UNESCO raised similar concerns.[121]

77. The Working Group on the issue of discrimination against women in law and in practice congratulated Peru on the significant achievement in attaining gender parity in primary education, but noted that the dropout rate for girls at secondary school level was still worrying.[122] The Committee on the Elimination of Discrimination against Women raised similar concerns.[123]

78. The Committee on the Rights of the Child was concerned that only 50 per cent of children with disabilities attended school.[124]

79. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that Peru adopt specific and effective measures to ensure access to education for all children of migrant workers.[125]

80. The Committee on the Rights of the Child and UNESCO were concerned about the growing privatization of education, which might reinforce discrimination in the educational system.[126]

D. Rights of specific persons or groups

1. Women[127]

81. The Working Group on the issue of discrimination against women in law and in practice recognized the efforts made by Peru to strengthen its legal and policy frameworks on the promotion and protection of women's rights and on achieving gender equality.[128]

82. The Committee on the Elimination of Discrimination against Women was concerned about provisions in the Labour, Civil and Penal Codes that directly discriminated against women, in addition to the gender-neutral provisions that sometimes indirectly discriminated against them.[129]

83. The Committee on the Elimination of Racial Discrimination was dismayed by reports of discrimination suffered by many female domestic workers owing to their ethnic origin.[130] The Working Group on the issue of discrimination against women in law and in practice noted that patriarchal patterns of behaviour, attitudes, expectations and practices denigrating girls and women remained widespread.[131]

84. Two Committees were concerned at reports of widespread violence against women and girls, including domestic and sexual violence and femicide.[132] In 2014, the Working Group on the issue of discrimination against women in law and in practice noted that violence against women was a widespread problem in all spheres, including the home, school, work and public spaces, and that prosecutions of crimes were still not receiving the priority they deserved. That required urgent action at all levels.[133] The country team

recognized that progress had been made, but pointed out that gender-based violence continued to be a critical issue; it was vital that the multisectoral response should be strengthened.[134]

85. The Committee on the Elimination of Discrimination against Women recommended that Peru increase efforts to raise awareness among women of their economic and property rights.[135]

86. The Working Group on the issue of discrimination against women in law and in practice regretted that the budget allocated to the Ministry for Women and Vulnerable Groups was insufficient to fulfil its mandate, but noted with satisfaction the establishment of Women's Emergency Centres for women victims of violence.[136]

2. Children[137]

87. The Committee on the Rights of the Child welcomed the adoption in 2015 of Law No. 30403 prohibiting the use of corporal and other humiliating punishment against children and adolescents, but was worried about the widespread social acceptance of corporal punishment. Two Committees were concerned at the high levels of violence against children, including domestic and sexual violence.[138] The Committee on the Rights of the Child was concerned at numerous cases of child abuse perpetrated by clergy of the Catholic Church.[139]

88. The same Committee was concerned that the minimum age for admission to employment remained at 14. It recommended that Peru increase the minimum age to 15, and ensure that all hazardous and abusive forms of labour were prohibited for children under 18 years of age.[140]

89. That Committee was also concerned that age verification procedures for recruitment into the armed forces were not carried out systematically and that the recruitment of children below the age 15 had not been defined as a war crime.[141]

90. While welcoming the enactment of Legislative Decree No. 1297 on children and adolescents without parental care and the Code on Adolescent Criminal Responsibility, the country team noted the persistence of violence against children and adolescents.[142]

91. The Committee on the Rights of the Child was concerned at the high rate of drug and alcohol addiction among children and adolescents, particularly children in street situations.[143] It was also concerned about the high prevalence of child marriage, particularly in indigenous and rural areas.[144]

3. Persons with disabilities[145]

92. The Committee against Torture was concerned at reports of violent and discriminatory practices against persons with disabilities in medical settings, deprivation of liberty without access to basic legal safeguards, and the enforced administration of treatments such as electroconvulsive therapy. It recommended that Peru repeal the suspended administrative decree that allowed the forced sterilization of persons with mental disabilities.[146]

93. The Committee on the Rights of the Child was concerned that more than 90 per cent of children with disabilities did not possess a disability certificate, at the limited access to inclusive education for children with disabilities, particularly in rural and remote areas, and at the limited support provided by the assistance and advice services for students with special educational needs.[147]

94. While welcoming the fact that Peru had a regulatory framework in compliance with the Convention on the Rights of Persons with Disabilities, the country team expressed concern at the persistence of discrimination against persons with disabilities and of obstacles to their full enjoyment of the rights to education, health, work and accessibility, and the regulatory barriers in relation to legal capacity.[148]

4. Minorities and indigenous peoples[149]

95. The Special Rapporteur on the rights of indigenous peoples noted that Peru was making significant efforts to deal with problems arising from the extraction of natural resources, such as the development of a legal framework for consultation with indigenous peoples and the establishment of a specific system for the protection of indigenous communities in a situation of isolation or initial contact.[150]

96. The country team reported that, since the enactment of Act No. 29785 on the Right of Indigenous or Aboriginal Peoples to Prior Consultation and its regulations, 28 processes of prior consultation had been conducted on extractive projects, and on national plans and programmes, but that they had yet to be applied in the mining sector and there was still no effective follow-up of the agreements reached.[151]

97. In July 2017, two special procedure mandate holders urged Peru to suspend the negotiations on a new oil exploitation contract in so-called "Block 192" until the rights of local indigenous peoples had been protected.[152]

98. The Special Rapporteur on the rights of indigenous peoples recommended that Peru guarantee the necessary funding, staffing and organizational stability to enable the Office of the Deputy Minister of Intercultural Affairs to fulfil its mandate in relation to indigenous peoples.[153] He noted that, although the implementation of prior consultation had led to greater inclusion of indigenous peoples in the granting of licences for extractive projects, they had not taken part in strategic planning concerning natural resources.[154]

99. The Committee on the Rights of the Child was concerned at reports that Law No. 29785 on the right of indigenous peoples to prior consultation did not apply to all self-identified groups of indigenous peoples and that some projects relating to the mining sector were excluded from the consultation process.[155] Two other Committees raised similar concerns.[156]

100. The Committee on the Elimination of Racial Discrimination urged Peru to adopt general and specific measures to ensure that Afro-Peruvians were able to exercise their rights, and to adopt mechanisms aimed at ensuring their participation in politics, in the design and approval of public standards and policies and in the implementation of projects affecting them directly or indirectly.[157]

101. The country team noted progress made in relation to the rights of people of African descent, such as the National Development Plan for the Afro-Peruvian Population 2016-2020, the National Afro-Peruvian Council, the working group on policies for Afro-Peruvians, the inclusion of a question on ethnic origin in the 2017 census, and the first conviction for the crime of racial discrimination. The country team noted that economic, social and cultural rights, access to justice, stereotyping and racist discourse continued to present challenges.[158]

5. Migrants, refugees, asylum seekers and internally displaced persons

102. The Office of the United Nations High Commissioner for Refugees (UNHCR) noted that the new legal provisions in Legislative Decree No. 1350 (2017) were generally in line with international standards. However, UNHCR noted that efforts would be needed in the implementation of the new regulations to ensure that, inter alia, asylum seekers did not face impediments to entry and refugees had access to permanent residence.[159] The country team drew attention to the Migration Act and the work of the Intersectoral Round Table for Migration Management, but noted that the local integration of migrants and refugees remained a challenge.[160]

103. The Human Rights Committee recommended that Peru adopt and implement laws guaranteeing respect for the principle of non-refoulement in cases involving risk of death, torture or ill-treatment of migrants.[161] The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended that Peru guarantee that detention of migrant workers in an irregular situation was used as a measure of last resort only.[162]

104. The same Committee was concerned that family members of migrant workers were not permitted to work in Peru.[165] It was also concerned about the "citizens' alert" migration control mechanism, whereby citizens could report migrant workers.[166]

105. UNHCR noted that Peru had experienced a 900 per cent increase in new asylum applications, with more than 3,602 new asylum applications from Venezuelans in 2016.[167]

106. Regarding the relevant recommendations from the second review cycle,[168] UNHCR noted that refugees and asylum seekers were particularly at risk of falling victim to trafficking or smuggling due to the vulnerable situations they often faced.[169]

107. Regarding the relevant recommendations from the second review cycle,[168] UNHCR noted that female refugees and asylum seekers faced situations of domestic violence aggravated by their displacement and the lack of information about services available, and faced discriminatory attitudes.[169]

108. UNHCR stated that asylum seekers were excluded from the universal health insurance system because the temporary documents they received were not considered valid for enrolment. It noted that refugee families faced significant difficulties in accessing the system due to additional requirements.[170]

Notes

1 Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Peru will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/PEindex.aspx.
2 For relevant recommendations, see A/HRC/22/15, paras. 116.1-116.3, 116.26, 116.62, 117.1-117.2, 117.5 and 119.1-119.2.
3 See CAT/C/PER/CO/5-6, para. 24.
4 See CEDAW/C/PER/CO/7-8, para. 32.
5 See CERD/C/PER/CO/18-21, para. 17, CEDAW/C/PER/CO/7-8, para. 32, CMW/C/PER/CO/1, paras. 16-17, and A/HRC/29/40/Add.2, para. 86 (g).
6 See CERD/C/PER/CO/18-21, para. 25.
7 See country team submission for the universal periodic review of Peru, paras. 3-4. For the relevant recommendations, see A/HRC/22/15, paras. 116.1-116.2, 116.7, 117.8 and 119.1-119.2.
8 OHCHR, "OHCHR in the field: Americas", in *OHCHR Report 2015*, p. 190. See also "OHCHR in the field: Americas", in *OHCHR Report 2016*, pp. 209-210.
9 OHCHR, "Management and funding", in *OHCHR Report 2016*, pp. 79, 83 and 116-117.
10 For relevant recommendations, see A/HRC/22/15, paras. 116.7-116.8, 116.14-116.18, 116.20, 116.22, 116.91 and 118.2.
11 See CERD/C/PER/CO/18-21, para. 12.
12 See A/HRC/33/51/Add.3, para. 18.
13 See country team submission, para. 7. For the relevant recommendation, see A/HRC/22/15, para. 116.26 (Hungary).
14 See country team submission, para. 11. See also A/HRC/22/15, para. 116.22 (Nicaragua).
15 See http://acnudh.org/peru-oficina-regional-del-acnudh-solicita-regularizar-situacion-laboral-interna-de-la-defensoria-del-pueblo-del-peru/.
16 For relevant recommendations, see A/HRC/22/15, paras. 116.27 and 116.31-116.32.
17 See country team submission, para. 15.
18 See CRC/C/PER/CO/4-5, paras. 27-28.
19 Ibid., paras. 27-28, and CEDAW/C/PER/CO/7-8, para. 7.
20 Country team submission, paras. 69-85.
21 See CCPR/C/PER/CO/5, para. 7, and CERD/C/PER/CO/18-21, paras. 8 and 17.
22 See CRC/C/PER/CO/4-5, paras. 27-28, and CCPR/C/PER/CO/5, para. 8.
23 Country team submission, pp. 13-14. For the relevant recommendations, see A/HRC/22/15, para. 116.4 (Argentina), para. 116.15 (Canada), para. 116.27 (Argentina) and para. 116.32 (Slovenia).
24 See CERD/C/PER/CO/18-21, para. 21.
25 For the relevant recommendation, see A/HRC/22/15, para. 116.113.
26 See CERD/C/PER/CO/18-21, paras. 15-16.
27 See CRC/C/PER/CO/4-5, paras. 23-24.
28 See CEDAW/C/PER/CO/7-8, paras. 37-38.
29 See country team submission, para. 21.
30 Ibid., paras. 26-27.

[31] See http://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21894&LangID=E.
[32] See CCPR/C/PER/CO/5, para. 17.
[33] For the relevant recommendations, see A/HRC/22/15, paras. 116.4-116.6, 116.34-116.35, 116.54-116.55 and 116.64-116.67.
[34] See CAT/C/PER/CO/5-6, para. 12, and CCPR/C/PER/CO/5, paras. 15-16.
[35] See CAT/C/PER/CO/5-6, para. 13.
[36] Ibid., para. 22.
[37] See country team submission, paras. 36-37.
[38] See http://acnudh.org/acnudh-lamenta-violencia-y-muertes-en-las-bambas-peru/, http://acnudh.org/peru-acnudh-condena-la-violencia-suscitada-en-arequipa-en-torno-al-proyecto-tia-maria-y-llama-al-dialogo/, http://acnudh.org/23338/, http://acnudh.org/peru-acnudh-expreso-solidaridad-por-muerte-de-poblador-durante-desalojo-en-cajamarca-y-solicita-investigacion-exhaustiva/ and http://acnudh.org/acnudh-condena-muertes-de-lideres-ashaninkas-en-peru/.
[39] See CAT/C/PER/CO/5-6, para. 8.
[40] See country team submission, para. 33.
[41] Ibid., para. 28. For the relevant recommendations, see A/HRC/22/15, para. 116.16 (Morocco), para. 116.17 (Mexico), para. 116.18 (Spain) and para. 116.35 (Norway).
[42] See CCPR/C/PER/CO/5, para. 21.
[43] See CAT/C/PER/CO/5-6, para. 10.
[44] See country team submission, para. 30. For the relevant recommendations, see A/HRC/22/15, para. 116.64 (Australia), para. 116.65 (Iraq), para. 116.66 (Spain) and para. 116.67 (Thailand).
[45] See CRC/C/PER/CO/4-5, paras. 47-48.
[46] For relevant recommendations, see A/HRC/22/15, paras. 116.49, 116.53, 116.56-116.61, 116.63 and 117.3.
[47] See CAT/C/PER/CO/5-6, para. 9.
[48] See country team submission, para. 30.
[49] See CEDAW/C/PER/CO/7-8, paras. 11 and 19.
[50] See A/HRC/29/40/Add.2, para. 20. See also A/HRC/29/40/Add.5.
[51] See CMW/C/PER/CO/1, para. 28.
[52] See country team submission, para. 40. See also A/HRC/22/15, para. 116.49 (Spain), para. 116.56 (Belgium), para. 116.57 (United States of America), para. 116.58 (Argentina) and para. 116.63 (Tunisia).
[53] See A/HRC/29/40/Add.2, para. 23.
[54] See A/HRC/33/51/Add.3, para. 44.
[55] See CRC/C/OPSC/PER/CO/1 and Corr.1, paras. 25-26.
[56] See A/HRC/33/51/Add.3, para. 71.
[57] Ibid., para. 70.
[58] See CAT/C/PER/CO/5-6, para. 16.
[59] See CCPR/C/PER/CO/5, para. 11.
[60] See CERD/C/PER/CO/18-21, para. 22.
[61] See CRC/C/OPAC/PER/CO/1, paras. 27-28.
[62] See CERD/C/PER/CO/18-21, para. 22, and CEDAW/C/PER/CO/7-8, paras. 21-22.
[63] For relevant recommendations, see A/HRC/22/15, paras. 116.5, 116.33, 116.41, 116.72-116.74 and 117.4.
[64] See CRC/C/PER/CO/4-5, paras. 21-22, and CCPR/C/PER/CO/5, paras. 22-23.
[65] See country team submission, para. 105. See also A/HRC/22/15, para. 116.72 (Australia), para. 116.74 (Netherlands) and para. 119.5 (Netherlands).
[66] See CCPR/C/PER/CO/5, para. 9.
[67] See CEDAW/C/PER/CO/7-8, para. 15.
[68] Ibid., paras. 25-26.
[69] Ibid., para. 16.
[70] See country team submission, para. 78.
[71] See A/HRC/29/40/Add.2, para. 38. See also A/HRC/29/40/Add.5.
[72] See CCPR/C/PER/CO/5, para. 22.
[73] For relevant recommendations, see A/HRC/22/15, paras. 116.21, 116.42 and 116.48.
[74] See CRC/C/PER/CO/4-5, paras. 65-66, CCPR/C/PER/CO/5, para. 23, and CAT/C/PER/CO/5-6, para. 21.
[75] See CERD/C/PER/CO/18-21, para. 20.
[76] See CEDAW/C/PER/CO/7-8, paras. 23-24.
[77] See CRC/C/OPSC/PER/CO/1 and Corr.1, para. 21.
[78] See CMW/C/PER/CO/1, para. 55.
[79] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR.

3298436,102805,Peru,2016.

[80] See country team submission, paras. 42 and 47.

[81] For relevant recommendations, see A/HRC/22/15, paras. 116.68-116.71 and 119.3.

[82] See CMW/C/PER/CO/1, paras. 44-45.

[83] See CEDAW/C/PER/CO/7-8, para. 27, CERD/C/PER/CO/18-21, para. 19, and CRC/C/PER/CO/4-5, paras. 33-34.

[84] For relevant recommendations, see A/HRC/22/15, paras. 116.77 and 116.112.

[85] See CEDAW/C/PER/CO/7-8, paras. 31-32.

[86] See A/HRC/29/40/Add.2, para. 46. See also A/HRC/29/40/Add.5.

[87] See www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3185899,102805,Peru,2014.

[88] See CMW/C/PER/CO/1, para. 31.

[89] See country team submission, paras. 44-45. See also A/HRC/22/15, para. 116.48 (Belarus), para. 116.75 (Bangladesh), para. 116.76 (Republic of Moldova) and para. 116.77 (Kyrgyzstan).

[90] See country team submission, para. 45. See also A/HRC/22/15, para. 116.48 (Belarus), para. 116.75 (Bangladesh), para. 116.76 (Republic of Moldova) and para. 116.77 (Kyrgyzstan).

[91] For relevant recommendations, see A/HRC/22/15, paras. 116.19, 116.23, 116.78-116.90 and 116.109.

[92] See country team submission, para. 17. See also A/HRC/22/15, para. 116.19 (Nicaragua), para. 116.78 (China), para. 116.79 (Cuba), para. 116.80 (Algeria), para. 116.81 (Brazil), para. 116.82 (Chile), para. 116.83 (Greece), para. 116.84 (Morocco), para. 116.85 (Ecuador), para. 116.86 (Bolivarian Republic of Venezuela), para. 116.87 (Bangladesh), para. 116.88 ((Bolivarian Republic of Venezuela), para. 116.89 (Belarus), para. 116.90 (Kyrgyzstan) and para. 116.91 (Algeria).

[93] See CRC/C/PER/CO/4-5, paras. 59-60.

[94] See CERD/C/PER/CO/18-21, para. 8.

[95] See CEDAW/C/PER/CO/7-8, paras. 37-38.

[96] See A/HRC/29/40/Add.2, para. 74.

[97] Ibid., para. 44. See also A/HRC/29/40/Add.5.

[98] See country team submission, paras. 52 and 54.

[99] Ibid., para. 50. See also A/HRC/22/15, para. 116.91 (Algeria).

[100] For relevant recommendations, see A/HRC/22/15, paras. 116.92-116.98 and 119.6-119.9.

[101] See country team submission, para. 56. See also A/HRC/22/15, para. 116.94 (Iraq), para. 116.95 (Slovenia), para. 116.96 (Portugal), para. 116.97 (Finland), para. 116.98 (Mexico) and para. 116.99 (Cuba).

[102] See CRC/C/PER/CO/4-5, paras. 53-54.

[103] Ibid., paras. 55-56.

[104] See A/HRC/29/40/Add.2, para. 64. See also A/HRC/29/40/Add.5.

[105] See A/HRC/29/40/Add.2, paras. 62 and 86 (b)-(c), and CEDAW/C/PER/CO/7-8, para. 35.

[106] See CEDAW/C/PER/CO/7-8, para. 36.

[107] See CCPR/C/PER/CO/5, para. 14, and CAT/C/PER/CO/5-6, para. 15. See also country team submission, p. 9.

[108] See CRC/C/PER/CO/4-5, paras. 57-58.

[109] See country team submission, para. 65.

[110] See CMW/C/PER/CO/1, paras. 39-40.

[111] See CEDAW/C/PER/CO/7-8, paras. 33-34.

[112] See country team submission, paras. 63-64.

[113] For relevant recommendations, see A/HRC/22/15, paras. 116.25 and 119.99-116.104.

[114] See country team submission, para. 67.

[115] UNESCO submission for the universal periodic review of Peru, p. 5.

[116] Ibid., p. 6.

[117] See country team submission, paras. 15 and 67.

[118] See CRC/C/PER/CO/4-5, paras. 61-62, and CEDAW/C/PER/CO/7-8, para. 29.

[119] See CERD/C/PER/CO/18-21, para. 18.

[120] See A/HRC/29/40/Add.2, para. 72.

[121] UNESCO submission, pp. 6-7.

[122] See A/HRC/29/40/Add.2, para. 50. See also A/HRC/29/40/Add.5.

[123] See CEDAW/C/PER/CO/7-8, para. 29.

[124] See CRC/C/PER/CO/4-5, paras. 51-52.

[125] See CMW/C/PER/CO/1, paras. 39-40.

[126] See CRC/C/PER/CO/4-5, paras. 61-62, and UNESCO submission, p. 7.

[127] For relevant recommendations, see A/HRC/22/15, paras. 116.28-116.31, 116.36-116.40, 116.51-116.52 and 116.75-116.76.

[128] See A/HRC/29/40/Add.2, para. 27. See also A/HRC/29/40/Add.5.

[129] See CEDAW/C/PER/CO/7-8, paras. 9-10.
[130] See CERD/C/PER/CO/18-21, para. 17.
[131] See A/HRC/29/40/Add.2, para. 53. See also A/HRC/29/40/Add.5.
[132] See CEDAW/C/PER/CO/7-8, paras. 17-18, and CAT/C/PER/CO/5-6, para. 14.
[133] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15079&LangID=E.
[134] See country team submission, para. 69-70.
[135] See CEDAW/C/PER/CO/7-8, paras. 41-42.
[136] See A/HRC/29/40/Add.2, paras. 32 and 35. See also A/HRC/29/40/Add.5.
[137] For relevant recommendations, see A/HRC/22/15, paras. 116.9-116.13, 116.24, 116.43-116.47, 116.50, 118.1 and 119.4.
[138] See CAT/C/PER/CO/5-6, para. 20, and CRC/C/PER/CO/4-5, paras. 39-42.
[139] See CRC/C/PER/CO/4-5, para. 41.
[140] Ibid., paras. 65-66.
[141] CRC/C/OPAC/PER/CO/1, paras. 13-14 and 17-18.
[142] See country team submission, paras. 79-80.
[143] CRC/C/PER/CO/4-5, paras. 55-56.
[144] Ibid., paras. 43-44.
[145] For relevant recommendations, see A/HRC/22/15, paras. 116.105-116.107.
[146] See CAT/C/PER/CO/5-6, para. 19.
[147] CRC/C/PER/CO/4-5, paras. 51-52.
[148] See country team submission, para. 86.
[149] For relevant recommendations, see A/HRC/22/15, paras. 116.108 and 116.110-116.111.
[150] See A/HRC/27/52/Add.3, para. 71.
[151] See country team submission, para. 92.
[152] See http://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21871&LangID=E.
[153] See A/HRC/27/52/Add.3, para. 72.
[154] Ibid., para. 9.
[155] See CRC/C/PER/CO/4-5, paras. 23-24.
[156] See CERD/C/PER/CO/18-21, para. 14, and CCPR/C/PER/CO/5, para. 24.
[157] See CERD/C/PER/CO/18-21, para. 13.
[158] See country team submission, paras. 89-90.
[159] UNHCR submission for the universal periodic review of Peru, p. 5.
[160] See country team submission, paras. 96-97.
[161] See CCPR/C/PER/CO/5, para. 18.
[162] See CMW/C/PER/CO/1, para. 31.
[163] Ibid., para. 24.
[164] Ibid., paras. 26-27.
[165] UNHCR submission, p. 1.
[166] See A/HRC/22/15, para. 116.21 (Thailand) and para. 116.42 (United States of America).
[167] UNHCR submission, pp. 2-3.
[168] See A/HRC/22/15, para. 116.38 (Spain).
[169] UNHCR submission, p. 4.
[170] UNHCR submission, pp. 4-5.

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Summary of stakeholders' submissions on Peru*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 41 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Peruvian Ombudsman's Office (DdPP) noted the need for data on homophobic and transphobic violence and the enactment of legislation on gender identity.[2]

3. The Office said that concerns had been raised about police activities, despite the progress made following the enactment of Legislative Decree No. 1186 regulating the use of force by the National Police.[3]

4. The Office stated that harassment was the main problem faced in the prison system, in addition to the lack of inspections, food and medical services.[4]

5. The Office claimed that the law establishing the Ombudsman's Office as the national mechanism for the prevention of torture did not provide for additional funding.[5]

6. The Office warned that the special judicial subsystem for serious human rights violations would need to be strengthened and decentralized and its exclusivity would need to be maintained.[6]

7. The Office noted that there was a climate of social tolerance towards human trafficking and that the situation called for inter-institutional work in that regard.[7]

* The present document was not edited before being sent to United Nations translation services.

8. With regard to recommendation 116.1,[9] the Office said that there were differences between the special regime and the private employment regime.[10]

9. The Office underlined the need for guidelines on HIV prevention among indigenous peoples.[11]

10. With regard to recommendations 116.28 and 116.29[12] on the political participation of women, the Office recommended supplementing the gender quota with measures such as alternating male and female candidates on electoral lists.[13]

11. The Office drew attention to the high mortality rate, for reasons linked to the quality of health-care services during pregnancy.[14]

12. The Office noted with concern the poor quality of health-care services for victims of rape and the failure to collect legal evidence.[15]

13. With regard to violence against women in intimate relationships,[16] the Office recommended training the personnel of the National Police and improving inter-institutional coordination.

14. The Office said that it had been designated as the country's independent mechanism under the Convention on the Rights of Persons with Disabilities. It therefore monitored pending issues such as the harmonization of legislation, legal capacity and education.[17]

15. The Office recommended that consultations on mining, oil and gas projects should be carried out during the environmental impact assessment process.[18]

16. The Office said that the Legislative Decree on Migration had entered into force in 2017, but the corresponding regulations were still not ready.[19]

III. Information provided by other stakeholders

A. Scope of international obligations[20] and cooperation with international human rights mechanisms and bodies[21]

17. The National Human Rights Coordinator (CNDDHH) noted the lack of political will to abolish the death penalty, illustrated by the failure to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights. It added that Peru had also not ratified the International Labour Organization Domestic Workers Convention, 2011 (No. 189).[22]

18. Amnesty International (AI) and Peru Support Group (PSG) recognized positive developments in terms of treaty ratification or recognition of competence of treaty bodies, but noted that Peru had not ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, despite committing during the last review, and had not recognized the competence of the Committee on Enforced Disappearances to receive individual communications among States.[23]

19. The Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos (CAPAJ) observed the indifference of the State party towards the Human Rights Committee's Views on communication No. 1457/2006 on indigenous peoples.[24]

B. National human rights framework[25]

20. The Runa Institute, the Centro de Investigación Interdisciplinar en Sexualidad, Sida y Sociedad (CIISSS), the National Human Rights Coordinator and Joint Submission (JS) JS9 said that all mention of protection on the grounds of sexual orientation and gender identity had been removed from the National Human Rights Plan 2014-2016, despite the fact that lesbian, gay, bisexual, transgender and intersex (LGBTI) groups had participated in its preparation and that a new National Human Rights Plan 2017-2020 was under consultation.[26]

21. AI, PSG and Society for Threatened Peoples (STP) raised concerns about the political independence of the new Ombudsman, the change of its staff, and its weakened actions to guarantee respect for human rights in the country and its budget.[26]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[27]

22. CIISSS and AI drew attention to discrimination against the LGBTI population, including hate crimes on the grounds of sexual orientation and gender identity, which created barriers to access to rights such as health care, education, employment and housing.[28] CIISSS said that the State did not have effective mechanisms in place to deal with the problem and protect the LGBTI population.[29] The Runa Institute noted with concern the issue of non-recognition of the identity of transgender persons.[30]

23. CIISSS, JS9 and JS12 referred to Legislative Decree No. 1323, which amended the Criminal Code by adding sexual orientation and gender identity as prohibited grounds for discrimination. They warned that the legislation was being challenged in the Congress.[31] The Runa Institute reported that same-sex sexual relations continued to be punishable under the disciplinary code of the National Police.[32]

24. The Runa Institute and JS9 stated that, owing to the opposition of various conservative groups, a number of bills aimed at eradicating discrimination against the LGBTI community had been unsuccessful.[33]

25. JS9 reported on the establishment of the National Anti-Discrimination Commission, on the creation in the Ministry of Women of the Working Group to Promote the Rights of Lesbians and on the publication of handbooks for the National Police and the media prohibiting discrimination on the grounds of sexual orientation and gender identity.[34]

26. JS12 said that the "Warning against Racism" platform, a mechanism to provide guidance to the public on how to deal with acts of discrimination, was not well publicized and did not provide for penalty mechanisms.[35] JS16 said that the State did not effectively penalize the broadcasting of television programmes and commercials featuring content that was racist and discriminatory towards the Afro-Peruvian population.[36]

Development, the environment, and business and human rights[37]

27. JS2 drew attention to the impact of the exploitation of oil and gas in the territories of indigenous peoples and of oil spills.[38] Cultural Survival (CS) noted that the extractive industry had a devastating impact on the environment in indigenous territories, and that the Environmental State of Emergency and the Health Care of Emergencies declared by the Government had lacked adequate funds.[39] STP noted that Peru had suffered more than 150 oil leaks during the last years.[40] PSG was concerned about the lack of prevention and remedial mechanisms to deal with a number of oil spills.[41]

28. The Human Rights Commission (COMISEDH) said that public policies on environmental pollution were inconsistent. The Office of the Deputy Minister for Culture did not have an adequate monitoring mechanism, given that the Environmental Evaluation and Accounting Office did not have the autonomy or the authority to impose environmental fines or monitor violations.[42]

29. JS18 and COMISEDH noted the weakening of environmental oversight through Act No. 30230 and observed that the Executive had enacted various legislative decrees that violated rights and weakened environmental management.[43]

30. Proetica noted that, between January and March 2017, Peru had been affected by a serious and extensive climate crisis, with flooding and overflowing rivers, that had resulted in several deaths, injuries and destruction, and drew attention to the inefficient implementation of the budget for disaster prevention.[44]

31. Perú Equidad said that the State should prevent, investigate, punish and provide compensation for violations of economic, social, cultural and environmental rights that occurred as a result of the activities of Chinese mining companies.[45]

2. Civil and Political Rights

Right to life, liberty and security of person[46]

32. CNDDHH reported that the Constitutional Court had revised Legislative Decrees Nos. 1094 and 1095. It said that it was concerned by the deployment of the Armed Forces being authorized for tasks related to internal order when there had not been a prior declaration of a state of emergency.[47]

33. JS14 and the International Human Right Clinic of the University of Oklahoma (IHRC-OU) referred that the law No. 30151, in force since January 2014, modified the Criminal Code in order to grant immunity from prosecution to "armed forces and police personnel who in fulfilment of their duty and using their weapons or other means of defence, cause injury or death", regardless of compliance with national regulations or international standards. [48]PSG and JS14 noted that it made it impossible to hold police officers accountable.[49]

34. JS17 acknowledged that the enactment of Legislative Decree No. 1186, which for the first time established a legal framework for the use of force by the police, incorporated internationally recognized standards. JS17 added that the Decree did not guarantee the provision of appropriate equipment and training to ensure that police operations were in line with the standards set out therein.[50] JS14 recognized that the new law had incorporated international principles, but still allowed the use of lethal weapons in the event of a "violent, tumultuous assembly", without clearly defining these conditions.[51]

35. COMISEDH noted the lack of operating handbooks for proper police conduct and the legitimate use of force in the event of social protests.[52] STP and AI expressed concern about the State's repressive answers to legitimate social manifestation.[53] JS14 referred to the common practice of the Peruvian Government to arbitrarily declare a state of emergency.[54] CNDDHH noted that, in addition to the difficulty of investigating police involved in acts of arbitrary use of force, there was a lack of diligence in the investigations of the Public Prosecution Service.[55]

36. JS20 drew attention to violence against women sex workers by the police authorities and local government security forces.[56] With regard to recommendation 116.16,[57] JS11 reported that transgender women involved in sex work were the primary victims of State officials.[58] JS9 noted the violence against lesbians and transgender women.[59]

37. CNDDHH said that the legislation on the national mechanism for the prevention of torture had not been implemented and that the Ombudsman's Office had not been reformed to carry out its functions properly.[60] COMISEDH added that the main challenge to implementation was a lack of will on the part of the new Ombudsman.[61]

Administration of justice, including impunity and the rule of law[62]

38. CIISS reported on discrimination in access to justice faced by the LGBTI community and Centro de Desarrollo Étnico (CEDET) drew attention to the discrimination faced by Afro-descendent women.[63] JS9 noted the evidentiary standards that hindered access to justice for transgender persons.[64] JS12 drew attention to the barriers faced by rural and indigenous women in obtaining access to the State justice system,[65] while JS20 said that there was a lack of trust in the administration of justice among women sex workers.[66]

39. Proetica reported that corruption and poor resource management in the justice system undermined legal protections.[67] JS12 drew attention to the limited number of interpreters of indigenous languages in the justice system.[68] JS11 said that there were no specialized protocols for dealing with LGBTI victims.[69]

40. With reference to juvenile justice and recommendations 116.10, 116.30 and 116.41,[70] JS6 stated that the necessary budgets had not been made available to implement the objectives of the National Plan for the Prevention and Treatment of Adolescents in

Conflict with the Law or the Code of Adolescent Criminal Responsibility following their adoption, nor had the necessary changes been made.[71]

41. With regard to recommendations 116.72, 116.108 and 116.23,[72] JS19 said that indigenous peoples had not been consulted on the bills on coordination between the ordinary and special or indigenous justice systems and that the bills' constitutionality was problematic, in that they prevented serious cases from being brought before the indigenous courts. That situation already occurred.[73]

42. COMISEDH noted that the recent Act on the Search for Persons who Disappeared during the Period of Violence from 1980 to 2000 marked the first step by the State to establish the truth. It was concerned, however, about major shortcomings in the National Plan on the Search for Persons who Disappeared between 1980 and 2000, which in practice stripped the document of its meaning.[74]

43. AI noted that impunity for human rights violations committed during the internal armed conflict continued to be a cause of great concern, despite the fact that several emblematic rulings were adopted.[75] CNDDHH added that, between 2011 and 2016, the Ministries of Defence and the Interior had consistently failed to provide information to the Public Prosecution Service and the judiciary.[76]

44. CNDDHH reported that the programmes of reparations for victims of human rights violations between 1980 and 2000 had not been effectively implemented; for example, victims of sexual violence had not been included in the Comprehensive Reparations Programme.[77]

Fundamental freedoms and the right to participate in public and political life[78]

45. CNDDHH said that, between 2011 and 2016, 78 human rights defenders had been killed and that there had not been any public policy to protect them. It added that several defenders had been harassed during arbitrary criminal proceedings and their work had not been recognized.[79] Similar concerns were expressed by JS14, AI and Front Line Defenders (FLD).[80]

46. JS14 noted that none of the recommendations[81] on the protection of HRDs was implemented, and added that human rights defenders faced harassment, intimidation, surveillance, criminalization and physical violence.[82] JS14 also referred to the obstacles faced by civil society organizations to receive foreign funds.[83]

47. JS11 observed that the stereotypes surrounding those who defended sexual and reproductive rights legitimized the improper use of the judicial system or the supervisory powers of the legislative authorities against them.[84]

48. JS17 and JS14 noted that environmental activists and indigenous leaders faced major risks in their advocacy work.[85] Meanwhile, FDI. and JS14 raised concerns about the situation of trade unions leaders in Peru.[86]

49. AI stated that lawyers defending victims of human rights violations had also faced persecution and legal harassment. AI was also concerned about the situation of women defenders, who had faced gender-based violence and smear campaigns.[87]

50. Reporters Without Borders (RSF-RWB) noted that reports of threats, physical attacks and even murders of media personnel were not uncommon in Peru. It noted that the orchestrators of the attacks came from either organized crime groups or locally elected officials. RSF-RWB stated that the main threats came from the country's criminal defamation laws, which had in the past seen journalists jailed for writing stories in good faith.[88] Similar concerns were raised by JS14 and JS17.[89]

51. RSF-RWB reported that the ownership of Peruvian media was unusually concentrated, to such a degree that it threatened freedom of speech.[90]

52. CNDDHH said that women had still not exceeded the 30 per cent threshold for elected office and held less than 5 per cent of elected posts in local and regional governments. Referring to recommendations 116.29 and 116.36,[91] JS10 reported extensively on the way that the political harassment of women acted as a barrier to their

political participation.[92] JS10 highlighted the need to adopt legislation addressing the political harassment of women by means of prevention, treatment and punishment.[93]

53. JS14 noted that six recommendations on the right to freedom of assembly were not implemented, while one was only partially implemented.[94]

Prohibition of all forms of slavery[95]

54. With reference to recommendation 116.21 [96] on trafficking in persons, JS6 recognized that progress had been made on public policy but noted that budget cuts hampered their implementation.[97] Regarding recommendation 116.42,[98] JS11 reported that progress had been made with regard to prevention and prosecution, but problems remained in relation to the care and protection of victims.[99] Congregation of Our Lady of Charity of the Good Shepherd (CLCGS) noted that women reported abuses suffered during the rescue by police officers.[100]

55. JS12 drew attention to the labour and sexual exploitation to which indigenous women were subjected as a result of the incursion of extractive industries.[101]

56. CLCGS noted that in 2017 was promulgated Legislative Decree N°1323, creating the offence of sexual exploitation.[102]

Right to privacy and family life[103]

57. JS19 said that, although there had been an increase in identification campaigns in rural areas, there were still many undocumented indigenous persons in the Amazon region, a situation that prevented them from exercising their political rights and enjoying access to education, health and social programmes. It recognized that the Government had launched a bilingual birth certificate register in some indigenous languages but noted that bilingual identity cards had not yet been introduced.[104]

58. CIISSS drew attention to the need for international support for the Gender Identity Act, given that conservative groups in the Congress held views that were opposed to the adoption of the initiative.[105]

3. Economic, Social and Cultural Rights

Right to work and to just and favourable conditions of work[106]

59. JS12 made a comment on indigenous women who had moved to urban centres and were employed primarily as domestic workers under conditions regulated by Act No. 27986, although these were discriminatory compared to other rules governing private activity.[107] CEDET noted that it was difficult to draw any conclusions on the workplaces of Afro-Peruvian women, given the lack of data on the subject.[108]

60. The Runa Institute said that the imposition of barriers preventing access to the right to work was the most striking example of discrimination against the transgender population.[109]

61. JS20 drew attention to the need to enact legislation regulating sex work, with the objective of reducing the stigma and discrimination faced by sex workers and guaranteeing a minimum level of rights.[110]

Right to an adequate standard of living[111]

62. Referring to recommendations 116.81-82, 116.84, 116.87, 116.89 and 116.110,[112] JS19 said that the State had not combated poverty among indigenous peoples. JS19 added that their poverty had been exacerbated by State policies of expropriating indigenous territories for the benefit of agro-industrial corporations along the coast and in the jungle, mining companies in the mountains and oil companies in the jungle.[113] CLCGS referred to the chronic malnutrition of children.[114]

Right to health[115]

63. COMISEDH drew attention to the effects of environmental pollution on the health of indigenous peoples and observed that the abolition of the Directorate of Indigenous Peoples attached to the Office of the Deputy Minister for Public Health by the Ministry of Health had marked a major step backwards.[116] JS19 expressed similar concerns.[117]

64. Concerning recommendations 116.72, 116.108 and 116.23,[118] JS19 said that the sectoral policy on intercultural health drawn up with the participation of indigenous organizations had not been implemented for lack of funds and that 51.2 per cent of communities did not have any type of health-care facilities.[119]

65. JS9 noted that the national guidelines for comprehensive sexual and reproductive health care and the National Sexual and Reproductive Health Strategy focused on heterosexual women.[120] The Runa Institute pointed out that health-care protocols did not take account of transgender persons.[121]

66. JS12 said that the country's maternal mortality rate had gone down overall but not in regions with large indigenous populations.[122] JS7 drew attention to the high maternal mortality rate among adolescents, public misinformation, discrimination and problems with infrastructure and equipment.[123] Referring to recommendations 116.95 and 116.98,[124] JS6 and JS7 noted that the teenage pregnancy rate had not decreased and there were still barriers preventing access to information.[125]

67. AI stated that abortion remained criminalized, except in cases where the health or life of the pregnant woman and girl was at risk. It added that despite the adoption of the guidelines on therapeutic abortion in 2014, clandestine and unsafe abortions were predominant.[126] JS11 recalled that a discussion on the decriminalization of abortion in cases of rape was pending in the Congress.[127] Alliance Defending Freedom International (ADF) reported on the issue of the right to life in the context of abortion, and noted that Peru must invest in social and economic development and by providing support to women throughout and after pregnancy.[128]

68. CEDET commented on racial stereotypes of Afro-Peruvian women that seriously affected their access to health care.[129] It added that the lack of updated statistical data made it difficult to estimate how many Afro-Peruvian children did not have adequate access to health care.[130] JS16 referred to the lack of public health policies for the Afro-Peruvian population.[131]

Right to education[132]

69. With regard to recommendations 116.23, 116.25, 116.31 and 116.99-116.104,[133] JS3 recognized that access to basic and higher education, enrolment and inclusion of students with disabilities had increased, but progress had been uneven.[134] JS3 drew attention to high rates of teenage pregnancy and the fact that 84.4 per cent of pregnant teenagers dropped out of school. JS6 added that unwanted teenage pregnancies prevented girls from completing their regular basic education and going on to higher education.[135]

70. JS3 reported on the increased privatization of education and a corresponding downgrading of the public education sector, its teachers and workers.[136] JS3 added that, despite the introduction of a series of instruments and positive incentives, there continued to be problems in the teaching profession.[137]

71. With respect to recommendations 116.31 and 116.99-116.104,[138] JS7 stressed that there was a lack of effective measures to combat school dropout, improve the quality of education in rural areas or address the unequal allocation of resources in schools and that the Ministry of Education showed little concern about the school dropout rate or the refusal of teachers to teach in rural areas, among other problems.[139]

72. JS9 recognized that the new regular basic education curriculum included as cross-cutting themes gender equality and non-discrimination based on difference, including sexual orientation and gender identity.[140] JS9, JS11, JS6 and CIISSS warned that conservative sectors had initiated a campaign against the alleged "gender ideology" and had

launched a strategy with the slogan "Don't Mess with My Children", which aimed to have the curriculum terminated.[141]

73. JS1 drew attention to problems in the alternative education and community education systems.[142]

74. The Runa Institute said that the education provided was based on binary male-female gender models, which meant that educational content was detrimental to transgender students.[143] CEDET and JS16 noted with concern that the lack of references to the origins of the Afro-Peruvian population and other important historical events was harmful to students' development.[144]

75. CEDET said that only 33 per cent of Afro-Peruvians aged between 18 and 26 years had gone on to higher education.[145] JS19 said that the Government established schools in indigenous villages without adequate budgets.[146]

4. Rights of specific persons or groups

Women[147]

76. CLCGS welcomed adopted legislation regarding the criminalization of violence against women, including femicide, sexual harassment, and promoting equal opportunities between women and men and several national plans; however, despite these laws 70.8 per cent of women had suffered some type of violence by their partner.[148] Concerning recommendations 116.30 and 116.41,[149] JS6 reported that sexual violence was still a common occurrence and girls aged between 12 and 17 made up the largest victim group. The women's emergency centres had difficulties in implementing the new Comprehensive Care Guidelines, which would improve the performance of their interdisciplinary teams and enable lawyers to represent victims in cases of sexual violence.[150]

77. CNDDHH reported that the Register of Victims of Forced Sterilization that had been created to record victims of forced sterilization carried out between 1996 and 2000 had various shortcomings, there had not yet been any prosecutions and a public policy of reparations had not been initiated.[151] JS8 said that a discrepancy between the number of victims requesting inclusion in the register and the number identified in the course of investigations showed that the register was still incomplete.[152]

78. With reference to recommendation 116.56,[153] JS8 said that victims continued to experience adverse effects on their mental and physical health and on their relationships with their families and communities.[154] JS12 claimed that women who had been subjected to sexual violence during the armed conflict or to forced sterilization had not received justice or reparations.[155] Similar concerns were raised by AI, PSG and STP.[156]

Children[157]

79. CLCGS noted that Peru had made progress in developing frameworks, plans and programmes regarding children and adolescents.[158]

80. Regarding recommendations 116.9, 116.12 and 116.50,[159] JS6 reported the adoption of Act No. 30403, which prohibited the physical or humiliating punishment of children and adolescents in all spheres. However, corporal punishment continued to be a widespread practice in society and the Act had yet to be disseminated in all educational institutions.[160] JS13 reported on the inadequate governmental capacity to carry out an effective enforcement of the law.[161] JS13 noted that the Ministry of Women and Vulnerable Populations had launched a campaign called "Do not hit, do not humiliate", and civil society had launched the campaign called "Dare to bring up with love"; however, those efforts were insufficient.[162]

81. JS6 drew attention to problems in relation to the Code on Children and Adolescents, which had not yet been adopted, and noted that majority opinion in the Congress was not in line with the Convention on the Rights of the Child.[163]

82. JS7 said that children's participation was symbolic and limited.[164] JS1 noted that street children and adolescents were the visible manifestation of clear social injustice.[165]

JS13 referred to the need to strengthen the Municipal Defenders of Children and Adolescents, by setting up the necessary structures for facilitating a complaints procedure.[166]

Persons with disabilities[167]

83. CNDDHH reported that the Convention on the Rights of Persons with Disabilities had not been fully implemented, since the standing multisectoral committee tasked with following up the Convention had had to be reactivated and its structure expanded to allow for the participation of civil society.[168]

84. Human Rights Watch (HRW) stated that although Peru had put in force some legal and administrative provisions to facilitate political participation for people with disabilities, civil legislation maintained the restrictions of legal capacity.[169] JS4 confirmed that no practical progress had been made in relation to legal capacity.[170]

85. HRW noted that Peru had not yet reformed its electoral legislation to enable people with disabilities to fully exercise their political rights.[171]

86. JS4 reported that the Ministry of Labour and Job Creation had mainstreamed disability in its social programmes, but the real impact of that measure was not known.[172]

87. JS4 observed that there was a lack of health care for persons with disabilities, which translated into a lack of full accessibility, reasonable accommodation and availability of services, among other shortcomings. It added that the law maintained a distinction between special education and mainstream education, thus facilitating exclusion, and that the State had not regulated inclusiveness in private educational establishments.[173]

88. In relation to recommendations 116.105-116.107,[174] JS7 referred to problems of discrimination against children with disabilities, drawing attention to such issues as the lack of flexibility in public services, the shortage of educational institutions and the lack of specific teacher training.[175]

Minorities and indigenous peoples[176]

89. JS19 raised the question of why neither the law nor the regulations on prior consultation complied with international standards and added that the State had not consulted indigenous peoples on laws likely to affect them and did not have regulations to that effect.[177] JS2 set out the reasons why prior consultation did not work in the extractive sector, such as the lack of titles to land, new requirements, the failure to engage in prior consultation before 2011, information workshops, the use of "prior agreement" and the lack of consultation before concessions were granted.[178]

90. JS18 noted the measures on which there had been prior consultation in the mining, oil and gas sectors and the results of four processes of prior consultation at the national level, which had culminated in the Intercultural Health Policy, the National Plan for Bilingual Intercultural Education, the regulations of the Forest and Forest Wildlife Act and the regulations of the Languages Act.[179]

91. JS12 noted the limited participation of women in prior consultation processes and the fact that no mechanisms to promote their participation had been developed.[180]

92. JS2 gave a full description of the problems relating to indigenous land titles, including legislation, contracts for the transfer of use of forest land and the classification of land, among others, and drew attention to the problem with Act No. 30230 of 2014, which promoted the redistribution of land for investment.[181] JS18 reported that legal mechanisms to protect lands and territories were being weakened.[182]

93. PSG was concerned about the failure of the government to publish a final version of the database of indigenous communities.[183] STP considered that the database was an important step for the recognition of indigenous peoples.[184]

94. JS18 noted that the Office of the Deputy Minister of Intercultural Relations had identified 55 indigenous or aboriginal peoples. However, persons of African descent had not been included in the database and had not been identified as a people.[185]

95. JS15 and JS2 reported on the threats, attacks and displacements to which peoples in voluntary isolation and initial contact were exposed as a result of illegal activities related to mining, illegal tree felling, drug trafficking and gas and oil extraction, in the absence of an effective State protection plan.[186]

96. STP welcomed the law 29735 which protects the use, preservation and recuperation of all indigenous languages in Peru.[187] JS15 drew attention to the fact that indigenous peoples lacked their own media.[188]

97. The Peruvian Black Women's Development Centre (CEDEMUNEP) observed that the law on quotas did not benefit Afro-Peruvians, who — with some exceptions — were not included in parliamentary lists.[189] CEDEMUNEP also noted that the next national census in 2017 would for the first time include the Afro-Peruvian population.[190] In that connection, JS16 questioned the formulation of the "ethnic self-identification" question in the census.[191]

98. JS16 noted that the recently established Directorate of Policies for the Afro-Peruvian Population in the Ministry of Culture did not have the necessary capacity or budget and that there was no specific budget for the implementation of the Development Plan for the Afro-Peruvian Population. In addition, JS16 pointed out that the State had not introduced any public policies specifically aimed at reducing poverty in Afro-Peruvian communities.[192]

99. JS16 noted with concern that Afro-descendent women were recruited for sexual tourism.[193]

100. JS19 drew attention to the effective abolition of the Act on the National Institute for the Development of the Andean, Amazonian and Afro-Peruvian Peoples, along with its collegiate governing council and multisectoral structure, when the Institute was transferred to the Office of the Deputy Minister of Intercultural Affairs.[194]

Migrants, refugees and asylum seekers and internally displaced persons

101. The Center for Justice and International Law (CEJIL) welcomed the adoption of Supreme Decree N 001-2017-IN that provided temporary residence for mothers or fathers of Peruvian minors, persons with permanent disabilities and victims of acts of violence against women. It also saluted the adoption of Decree N 002-2017-IN that addressed the situation of Venezuelan migrants.[195]

Stateless persons

102. CEJIL welcomed the inclusion of statelessness in the Migration Law; however, the definition of stateless person contained in article 8 was not in coherence with the definition established by the Convention Relating to the Status of Stateless Persons of 1954. It stated that Peru still needed to integrate a statelessness determination procedure for the recognition of the status of stateless person. Finally, CEJIL considered positive that the law provided humanitarian visas that can be given to refugees, stateless persons, persons at great risk, victims of trafficking, among others.[196]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a national human rights institution with "A" status).

Civil society
Individual submissions:

ADF International	ADF International (Switzerland).
AI	Amnesty International (United Kingdom of Great Britain and Northern Ireland).
CAPAJ	Comision Juridica para el Autodesarrollo de los Pueblos Originarios Andinos (Peru).
CEDEMUNEP	Centro de Desarrollo de la Mujer Negra Peruana (Perú).
CEDET	Centro de Desarrollo Etnico (Perú).

CEJIL	Center for Justice and International Law (United States of America);
CHSSS	Centro de Investigacion Interdisciplinar de Sexualidad, Sida y Sociedad (Peru);
CLCGS	Congregation of Our Lady of Charity of the Good Shepherd (Switzerland);
CNDDHH	Coordinadora Nacional de Derechos Humanos (Peru);
COMISEDH	Comision de Derechos Humanos (Peru);
CS	Cultural Survival (United States of America);
FLD	Front Line Defenders (Ireland);
HRW	Human Rights Watch (Switzerland);
IHRC-OU	International Human Right Clinic of the University of Oklahoma (United States of America);
Instituto Runa	Instituto Runa de Desarrollo y Estudios sobre Genero (Peru);
Peru-Equidad	Centro de Politicas Publicas y Derechos Humanos (Peru);
Proetica	Proetica (Peru);
PSG	Peru Support Group (United Kingdom of Great Britain and Northern Ireland);
RSF-RWB	Reporters Without Borders International (France);
STP CH	Society for Threatened Peoples Switzerland (Switzerland)

Joint submissions:

JS1	**Joint submission 1 submitted by:** L'Association Qosqo Maki, l'Association Pasa la Voz et la Fondation Apprentis d'Auteuil (France);
JS2	**Joint submission 2 submitted by:** ARPI SC: Asociacion Regional de Pueblos Indigenas de la Selva Central; CODEPISAM: Consejo de Desarrollo de los Pueblos Indigenas de la region San Martin; CORPI SL: Coordinadora Regional de los Pueblos Indigenas de San Lorenzo; CORPIAA: Coordinadora Regional de los Pueblos Indigenas de AIDESEP- Atalaya; FENAMAD: Federacion Nativa del rio Madre de Dios y Afluentes; ORAU: Organizacion Regional AIDESEP Ucayali; ORPIAN — P: Organizacion Regional de Pueblos Indigenas de la Amazonia Norte; ORPIO: Organizacion Regional de los Pueblos Indigenas del Oriente; COMARU: Consejo Machiguenga del rio Urubamba; AIDESEP: Asociacion Interetnica de Desarrollo de la Selva Peruana (Peru);
JS3	**Joint submission 3 submitted by:** Campaña Peruana por el Derecho a la Educacion (CPDE); Campaña Latinoamericana por el Derecho a la Educacion (CLADE); Centro de Estudios Sociales y Publicaciones (CESIP); Foro Educativo; Tarea Asociacion de Publicaciones Educativas; Central Peruana de Servicios (CEPESER); Centro de Estudios y Publicaciones; Instituto Bartolome de Las Casas; Fundacion Stromme; Consejo de Educacion Popular de America Latina (CEAAL); Organizacion Mundial para la Educacion Preescolar (OMEP) (Peru);
JS4	**Joint submission 4 submitted by:** Paz y Esperanza; Asociacion Pro Derechos Humanos (Aprodeh); Asociacion de Abogados Invidentes; Autismo Peru; Aynimundo; Centro de Empoderamiento de Personas con Discapacidad (CEMPDIS); Clinica Juridica en Discapacidad de la Pontificia Universidad Catolica del Peru; Centro de Politicas Publicas y Derechos Humanos — Peru Equidad; Comision de Damas Invidentes del Peru (CODIP); Confederacion Nacional de Personas con Discapacidad del Peru (CONFENADIP); Grupo de Iniciativa por la Niñez (GIN); Federacion Nacional de Mujeres con discapacidad del Peru (FENAMUDIP); Instituto de Democracia y Derechos Humanos (IDEHPUCP); Musas Inspiradoras de Cambio, Sociedad y Discapacidad (SODIS); Sociedad Peruana de Sindrome de Down (SPSD); Sense

Internacional Peru (Peru).

JS5 **Joint submission 5 submitted by:** Accion Por los Niños; Asociacion Paz y Esperanza; Capital Humano y Social Alternativo (CHS); Comision de Derechos Humanos de Ica (CODEH-ICA); Centro de Estudios de Problemas Economicos y Sociales d[illegible]aventud (CEPESJU); Fundacion Terre des hommes Lausanne Suiza — Filial Peruana; Grupo de Iniciativa por los Derechos del Niño (GIN); Talleres Proyectados a la Comunidad (TIPACOM); Instituto de Seguridad de Derechos Humanos (ISDH); Instituto de Promoción Educativa para el Desarrollo Social (I.A SEMILLA); Centro de Politicas Publicas y Derechos Humanos (Peru Equidad); Terre des Hommes Suisse; Instituto Promoviendo Desarrollo Social (IPRODES); Save the Children International; Voces Ciudadanas y World Vision Peru (Peru).

JS6 **Joint submission 6 submitted by:** INPPARES; Movimiento Manuela Ramos; Asociación Kallpa; CEPESJU; Red Interquorum (jovenes voluntarios); APROPO; Centro de la Mujer Peruana Flora Tristan; Sociedad Peruana de Adolescencia y Juventud. Otros colectivos: Centro Juvenil Futuro del INPPARES; Colectivo "Vayamos". (Peru).

JS7 **Joint submission 7 submitted by:** Red Distrital de Municipios Escolares de Lima Sur; el Movimiento Nacional de Niños y Adolescentes Trabajadores Organizados del Perú (MNNATSOP); Red Nacional de Niñas, Niños y Adolescentes (REDNNA); Organización de Niños, Niñas y Adolescentes de Huánuco (ONNAS Huánuco); Programa de Microcréditos de Niños Trabajadores (Prominants); y el Movimiento de Adolescentes y Niños Trabajadores Hijos de Obreros Cristianos (MANTHOC). (Peru).

JS8 **Joint submission 8 submitted by:** Grupo de Seguimiento a las Reparaciones por Esterilizaciones Forzadas — GREF. Instituciones: Coordinadora Nacional de Derechos Humanos; Demus — Estudio para la Defensa de los Derechos de la Mujer; Asociacion Ser; Instituto de Defensa Legal; Seccion Peruana de Amnistia Internacional; Codispas; ONAMIAP; Aporvi-dha; Hiperactiva Comunicaciones; DocuPeru. Colectivos: Alfombra Roja; Proyecto Quipu; Raices y Alas; Movimiento Amplio de Mujeres Linea Fundacional (MAM Fundacional); Personas: Hilaria Supa; Alejandra Ballon; Raquel Cuentas; Rocio Silva Santisteban; Adriana Fernández; Margarita Diaz Picasso; Jairo Rivas Belloso. (Peru).

JS9 **Joint submission 9 submitted by:** Comité de America Latina y el Caribe para la Defensa de los Derechos de la Mujer — CLADEM; CLADEM PERU; DEMUS; Estudio para la Defensa de los Derechos de las Mujeres; LIFS; Lesbianas Independientes Feministas Socialistas. (Peru).

JS10 **Joint submission 10 submitted by:** Movimiento Manuela Ramos; del Centro de la Mujer Peruana; Asociación de Comunicadores Sociales Calandria. (Peru).

JS11 **Joint submission 11 submitted by:** Centro de Promoción y Defensa de los Derechos Sexuales y Reproductivos — PROMSEX; Centro IDEAS — Piura; la Comunidad Homosexual Esperanza Region Loreto — CHERL. (Peru).

JS12 **Joint submission 12 submitted by:** Centro de la Mujer Peruana FLORA TRISTAN; DEMUS — Estudios para la defense de los derechos de la mujer; Coordinadora Nacional de Derechos Humanos CNDDHH (Peru).

JS13 **Joint submission 13 submitted by**: Marist Foundation for International Solidarity (FMSI); Edmund Rice International (ERI). (Switzerland).

JS14 **Joint submission 14 submitted by**: CIVICUS: World

Alliance for Citizen Participation (South Africa); APRODEH Asociacion Pro Derechos Humanos. (Peru).

JS15 **Joint submission 15 submitted by:** Servicios en Comunicación Intercultural Servindi; Consejo Harakbut Yine Machiguenga (COHARYIMA); Organización Nacional de Mujeres Indígenas y Amazónicas del Perú (ONAMIAP); Red de Comunicadores Indígenas del Perú (REDCIP). (Peru).

JS16 **Joint submission 16 submitted by:** Asociación Negra de Defensa y Promoción de los Derechos Humanos (ASONEDH); Red Peruana de Jóvenes Afrodescendientes (Ashanti Perú); Concejo Nacional Afroperuano — CNAFRO; Instituto Internacional de Derecho y Sociedad (IIDS); con el apoyo del GIA.

JS17 **Joint submission 17 submitted by:** ISHR-International Service for Human Rights; Coordinadora Nacional de Derechos Humanos. (Peru).

JS18 **Joint submission 18 submitted by:** GT-PPII-CNDDHH Grupo de Trabajo sobre Pueblos Indígenas de la Coordinadora Nacional de Derechos Humanos (Peru).

JS19 **Joint submission 19 submitted by:** I) El Pacto de Unidad de Organizaciones Nacionales Indígenas (Pacto de Unidad); Confederación Nacional Agraria (CNA); Confederación Campesina del Perú (CCP); Central Única Nacional de Rondas Campesinas del Perú (CUNARC-P); Federación Nacional de Mujeres Campesinas, Artesanas, Indígenas, Nativas y Asalariadas del Perú (FENMUCARINAP); Organización Nacional de Mujeres Indígenas Andinas y Amazónicas del Perú (ONAMIAP); Unión Nacional de Comunidades Aymaras (UNCA); II) Organizaciones de pueblos con casos emblemáticos: Federación de la Nacionalidad Achuar del Perú (FENAP); Comunidad Nativa Tres Islas; Pueblo Kañaris (Comunidad Campesina San Juan de Cañaris); Pueblos Originarios de Cajamarca. III) Instituto Internacional de Derecho y Sociedad (IIDS); con el apoyo del GIA. (Peru).

JS20 **Joint submission 20 submitted by:** RedTraSex, Asociación de Mujeres Meretrices de Argentina (AMMAR, Argentina); Organización Nacional de Activistas por la Emancipación de la Mujer (ONAEM, Bolivia); Fundación Margen de Apoyo y Promoción de la Mujer (Chile); Asociación de Mujeres Buscando Libertad (ASMUBULI, Colombia); Asociación de Trabajadoras Sexuales La Sala (Costa Rica); Movimiento Orquídeas del Mar (El Salvador); Organización Mujeres en Superación (OMES, Guatemala); Red Nacional de trabajadoras Sexuales de Nicaragua; Red Nacional de Trabajadoras Sexuales de Honduras; Mujeres con Dignidad y Derechos (Panamá); Unidas en la Esperanza (UNES, Paraguay); Red Nacional de Trabajadoras Sexuales de Perú y Organización de trabajadoras sexuales (OTRASEX, República Dominicana). (Peru).

National human rights institution

DdPP Defensoría del Pueblo (Peru).

[2] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, p. 5.
[3] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, p. 5.
[4] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, p. 4.
[5] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, p. 1.
[6] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, pp. 4-5.
[7] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, p. 2.
[8] A/HRC/22/15 recommendation 116.1 (Philippines).
[9] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, pp. 3-4.
[10] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, p. 4.
[11] A/HRC/22/15 recommendations 116.28 (Venezuela, Bolivarian Republic of) and 116.29 (Brazil).
[12] DdPP, contribución al Examen Periódico Universal, Perú 2017, Tercer ciclo, p. 2.

[11] DeFP, contribucion al Examen Periodico Universal, Peru 2017, Tercer ciclo, pp. 2-3. A/HRC/22/15 recommendation 116.93 (Sri Lanka).
[12] DeFP, contribucion al Examen Periodico Universal, Peru 2017, Tercer ciclo, p. 3. A/HRC/22/15 recommendation 116.39 (Singapore).
[13] DeFP, contribucion al Examen Periodico Universal, Peru 2017, Tercer ciclo, p. 3. A/HRC/22/15 recommendations 116.36 (Australia); 116.37 (Greece); 116.38 (Spain); 116.39 (Singapore); 116.51 (United States of America).
[14] DeFP, contribucion al Examen Periodico Universal, Peru 2017, Tercer ciclo, pp. 1-2.
[15] DeFP, contribucion al Examen Periodico Universal, Peru 2017, Tercer ciclo, p. 4.
[16] DeFP, contribucion al Examen Periodico Universal, Peru 2017, Tercer ciclo, p. 5.
[17] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[18] For relevant recommendations see A/HRC/22/15, paras 116.1-116.3; 116.26; 116.62; 117.1-117.2; 117.5; 119.1-119.2.
[19] CNDDHH, p. 1.
[20] AI, pp. 2-7 and PSG, pp. 2-3.
[21] CAPAJ, pp. 1-8.
[22] For relevant recommendations see A/HRC/22/15, paras 116.7-116.8; 116.14-116.18; 116.20; 116.22; 116.91; 118.2.
[23] Instituto Runa, pp. 7-8; CIISSS, p. 7; CNDDHH, p 4; JS9, p. 2. See also AI, p. 2 and CIISSS, p. 7.
[24] AI, p. 2; PSG, p. 3; STP, p. 5.
[25] For relevant recommendations see A/HRC/22/15, paras 116.27; 116.31-116.32.
[26] CIISSS, p. 1; AI, p. 4.
[27] CIISSS, p. 1.
[28] Instituto Runa, p. 1.
[29] CIISSS, p. 3; JS9, p. 2; JS12, pp. 2-3 See also JS11, p. 2.
[30] Instituto Runa, pp. 3-4. See also, JS12, pp. 2-3.
[31] Instituto Runa, pp. 3-4; JS9, pp. 2-4.
[32] JS9, pp. 3-4.
[33] JS12, pp. 2-3; See also JS16, pp. 7-8.
[34] JS16, pp. 7-8.
[35] For relevant recommendations see A/HRC/22/15, para 116.113.
[36] JS2, pp. 11-12.
[37] CS, pp. 4-5.
[38] STP, pp. 5-6. See also JS18, pp. 9-10.
[39] JS4, p. 4.
[40] COMISEDH, p. 1.

[42] JS18, pp. 7-10; COMISEDH, p. 5. See also CS, p. 6.
[43] Proctica, pp. 1-2.
[44] Peru Equidad, pp. 1-4.
[45] For relevant recommendations see A/HRC/22/15, paras 116.4-116.6, 116.34-116.35, 116.54-116.55, 116.64-116.67.
[46] CNDDHH, p. 3. See also JS14, pp. 11-12.
[47] JS14, pp. 11-12; IHRC-OU, p. 4 a.
[48] PSG, p. 5; JS14, pp. 11-12. See also AI, p. 4.
[49] JS17, pp. 3-4.
[50] JS14, pp. 11-12.
[51] COMISEDH, p. 4.
[52] STP, p. 4; AI, pp. 2-4.
[53] JS14, pp. 11-12.
[54] CNDDHH, p. 3. See also AI, p. 2.
[55] JS20, pp. 4-6. See also JS13, p. 9.
[56] A/HRC/22/15 recommendation 116.16 (Morocco).
[57] JS11, p. 2.
[58] JS9, p. 5.
[59] CNDDHH, p. 3.
[60] COMISEDH, p. 1. See also AI, p. 2.
[61] For relevant recommendations see A/HRC/22/15, paras 116.49, 116.53, 116.56-116.61, 116.63, 117.3.
[62] CIISSS, p. 3; CEDET, p. 3.
[63] JS9, p. 9.
[64] JS12, p. 5.
[65] JS20, p. 8.
[66] Proctica, p. 4.
[67] JS12, p. 5.
[68] JS11, p. 3.
[69] A/HRC/22/15 recommendations 116.10 (Jordan), 116.30 (Romania) and 116.41 (Australia).
[70] JS6, pp. 10-11.
[71] A/HRC/22/15 recommendations 116.72 (Australia), 116.108 (Greece), 116.25 (Tunisia).
[72] JS19, pp. 9-10.
[73] COMISEDH, p. 3. See also PSG, p. 3 and AI, p. 3.
[74] AI, p. 3.
[75] CNDDHH, p. 2.
[76] CNDDHH, p. 2.
[77] For relevant recommendations see A/HRC/22/15, paras 116.5, 116.33, 116.41, 116.72-116.74, 117.4.
[78] CNDDHH, p. 4.
[79] JS14, pp. 5-8; AI, p. 3; FLD, pp. 1-4.
[80] A/HRC/22/15 recommendations 116.74 (Netherlands), 116.72 (Australia), 116.113 (Germany), 116.112 (Hungary), 116.113 (Mexico).
[81] JS14, pp. 5-8. See also AI, p. 2; PSG, p. 6.
[82] JS14, pp. 3-4.
[83] JS11, pp. 5-6. Referring to the recommendation 116.72 (Australia).
[84] JS17, p. 2; JS14, pp. 5-8. See also CS, p. 7; IHRC-OU, p. 4.
[85] FDL, p. 3; JS14, pp. 3-8.
[86] AI, pp. 3-5.
[87] RSF-RWB, pp. 1-2.
[88] JS14, pp. 5-8; JS17, pp. 1-2.
[89] RSF-RWB, p. 3.
[90] A/HRC/22/15 recommendations 116.29 (Brazil) and 116.36 (Australia).
[91] CNDDHH, p. 4.
[92] JS10, pp. 1-12.
[93] JS14, pp. 11-12.
[94] For relevant recommendations see A/HRC/22/15, paras 116.21, 116.42, 116.48.
[95] A/HRC/22/15 recommendation 116.21 (Thailand).
[96] JS6, pp. 12-13.
[97] A/HRC/22/15 recommendation 116.42 (United States of America).
[98] JS11, p. 9. See also CLCGS, p. 3.
[99] CLCGS, p. 5.
[100] JS12, p. 3.
[101] CLCGS, p. 6.

[96] For relevant recommendations see A/HRC/22/15, paras 116.68-116.71, 119.3.
[97] JS19, p. 4.
[98] CIHSS, pp. 4-5.
[99] For relevant recommendations see A/HRC/22/15, paras 116.77, 116.112.
[100] JS12, p. 6.
[101] CEDET, p. 3.
[102] Instituto Runa, p. 6.
[103] JS20, pp. 3-11.
[104] For relevant recommendations see A/HRC/22/15, paras 116.19, 116.23, 116.78-116.90, 116.109.
[105] A/HRC/22/15 recommendations 116.81(Brazil), 116.82 (Chile), 116.84 (Morocco), 116.87 (Bangladesh), 116.89 (Belarus), and 116.110 (Bolivia, Plurinational Republic of).
[106] JS19, pp. 6-8.
[107] CLCGS, p. 2.
[108] For relevant recommendations see A/HRC/22/15, paras 116.92-116.98, 119.6-119.9.
[109] COMISEDH, p. 5.
[110] JS19, pp. 10-11. See also JS15, pp. 4-5; JS18, p. 3.
[111] A/HRC/22/15 recommendations 116.72 (Australia), 116.108 (Greece), 116.23 (Tunisia).
[112] JS19, pp. 10-11.
[113] JS9, p. 7.
[114] Instituto Runa, p. 7.
[115] JS12, p. 8. See also ADF, p. 3.
[116] JS7, p. 1. See also AI, p. 4.
[117] A/HRC/22/15 recommendations 116.95 (Slovenia) y 116.98 (Mexico).
[118] JS6, pp. 8-9; JS7, p. 2. See also ADF, p. 3.
[119] AI, p. 1.
[120] JS11, pp. 7-8.
[121] ADF, pp. 3-4.
[122] CEDET, p. 4.
[123] CEDET, p. 5.
[124] JS16, pp. 12-13.
[125] For relevant recommendations see A/HRC/22/15, paras 116.25, 119.99-116.104.
[126] A/HRC/22/15 recommendations 116.23 (Tunisia), 116.25 (Holy See), 116.31 (Slovakia), 116.99 (Cuba), 116.100 (Indonesia), 116.101 (Hungary), 116.102 (Malaysia), 116.103 (Costa Rica), 116.104 (Honduras).
[127] JS3, pp. 2-4. See also CLCGS, p. 3 and JS12, p. 7.
[128] JS3, pp. 4-5; JS6, p. 4.
[129] JS3, p. 6.
[130] JS3, pp. 8-9.
[131] A/HRC/22/15 recommendations 116.31 (Slovakia), 116.99 (Cuba), 116.100 (Indonesia), 116.101 (Hungary), 116.102 (Malaysia), 116.103 (Costa Rica), 116.104 (Honduras).
[132] JS7, p. 5.
[133] JS9, p. 8.
[134] JS9, p. 8; JS11, p. 4; JS6, pp. 2-3; CIHSS, p. 5.
[135] JS1, pp. 3-5.
[136] Instituto Runa, p. 7.
[137] CEDET, p. 5; JS16, pp. 4-5.
[138] CEDET, p. 2.
[139] JS19, p. 12.
[140] For relevant recommendations see A/HRC/22/15, paras 116.28-116.31, 116.36-116.40, 116.51-116.52, 116.75-116.76.
[141] CLCGS, p. 4.
[142] A/HRC/22/15 recommendations 116.30 (Romania) and 116.41 (Australia).
[143] JS6, pp. 5-6.
[144] CNDDHH, p. 5.
[145] JS8, pp. 5-6.
[146] A/HRC/22/15 recommendation 116.56 (Belgium).
[147] JS8, p. 1.
[148] JS12, p. 6.
[149] AI, p.1; PSG, p. 6; and STP, p. 3.
[150] For relevant recommendations see A/HRC/22/15, paras 116.9-116.13, 116.24, 116.43-116.47, 116.50, 118.1, 119.4.
[151] CLCGS, p. 2.
[152] A/HRC/22/15 recommendations 116.9 (Belarus), 116.12 (Portugal), 116.50 (Liechtenstein).

[160] JS6, pp. 2-3. See also JS7, pp. 5-6; JS13, pp. 1-2; CLCGS, p. 3.
[161] JS13, pp-1-2.
[162] JS13, p. 8.
[163] JS6, p. 1. A/HRC/22/15 recommendations 116.10 (Jordan); 116.11(Liechtenstein); 116.13 (Republic of Moldova).
[164] JS7, p. 4.
[165] JS1, pp. 3-7.
[166] JS13, p. 6.
[167] For relevant recommendations see A/HRC/22/15, paras 116.105-116.107.
[168] CNDDHH, p. 1.
[169] HRW, p. 1.
[170] JS4, pp. 7-8.
[171] HRW, pp. 2-3.
[172] JS4, p. 7.
[173] JS4, pp. 4-6.
[174] A/HRC/22/15 recommendations 116.105 (Italy); 116.106 (Indonesia); 116.107 (Malaysia).
[175] JS7, p. 3.
[176] For relevant recommendations see A/HRC/22/15, paras 116.108; 116.11[illegible]; 116.[illegible]71.
[177] JS19, p. 5. See also STP, p. 2.
[178] JS2, pp. 5-8. See also JS15, p. 1; CS, pp. 3-4; FLD, p. 2; IHRC-OL, pp. 1-3; AI, p. 3; PSG, p. 4; JS12, p. 4.
[179] JS18, p. 5-7. See also PSG, p. 4.
[180] JS12, p. 9.
[181] JS2, pp. 1-4. See also AI, p. 2; IHRC-OL, p. 2; STP, p. 7.
[182] JS18, pp. 3-4.
[183] PSG, p. 4.
[184] STP, p. 3.
[185] JS18, pp. 1-3. See also IHRC-OL, p. 3; JS19, p. 3.
[186] JS15, pp. 4-5; JS2 (pp. 8-11) See also STP, p. 2.
[187] STP, p. 3. See also JS15, pp. 2-3.
[188] JS15, pp. 2-3.
[189] CEDEMUNEP, pp. 2-3.
[190] CEDEMUNEP, pp. 4-5.
[191] JS16, pp. 7-8.
[192] JS16 (pp. 5-6) refiriendose a las recomendaciones A/HRC/22/15 116.87 (Bangladesh); 116.81 (Brazil); 116.82 (Chile); 116.84 (Morocco); 116.89 (Venezuela, Bolivarian Republic of).
[193] JS16, pp. 10-12. In relation to recommendations A/HRC/22/15 116.22 (Nicaragua); 116.27 (Argentina); 116.28 (Venezuela, Bolivarian Republic of); 116.29 (Brazil); 116.30 (Romania); 116.51 (United States of America); 116.52 (Belgium); 116.98 (Mexico).
[194] JS19, p. 13.
[195] CEJIL, pp. 3-4.
[196] CEJIL, pp. 2-5.